

THE  
4735. add. 28  
PROCEEDINGS

OF THE  
ASSOCIATE SYNOD,

At EDINBURGH,

Concerning some *Ministers* who have *separated*  
from them.

I. In *August* and *November*, 1747; and in *January*  
and *April*, 1748:—Containing the LIBEL against  
these Ministers; and Process thereon, unto the  
Sentence of SUSPENSION.

WITH

An APPENDIX by the *Committee* of the Associate Synod;  
wherein the EVIDENCES upon which the several *Articles*  
of the *Libel* have been found *proven*, as in the above *Pro-*  
*ceedings*, are EXTENDED and ILLUSTRATED.

II. In *August*, 1748;—Containing farther Process  
on the *Libel*, unto the Sentence of DEPOSITION  
and LESSER EXCOMMUNICATION.

EDINBURGH:

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# INTRODUCTION.

**T**HE maintaining of a Testimony for the Cause of Christ, in a Way of Secession, has been formerly attended with various Difficulties and Discouragements: But the Floods of this Kind have now arisen to a more overwhelming Height, in the melancholy and amazing Opposition to that Testimony which some Brethren, who had solemnly concurred therein, have lately fallen into and are prosecuting. And indeed, if ever we were brought into the Straits; betwixt an *Obligation*, on the one hand, to *keep our Place* in contending for Truth,—and an *Occasion*, on the other hand, of saying, *O that I had Wings like a Dove! for then would I flee away and be at Rest, I would hasten my Escape from the windy Storm and Tempest*: This comes more eminently to be the Case, with respect to that deplorable Course of these Brethren, which has extorted the following *Proceedings of the Associate Synod*.

Their *Opposition* to the *Secession-testimony* hath appeared, especially, in two Shapes: As, for some time, they were overturning it *generally and materially*; but, next, they have come to run it down *particularly and formally*. And,

I. There has been a *general and material* Overturning of that Testimony, by their *Defence* of a *present Swearing*—among Seceders—of the *religious Clause* in some Burgefs-oaths, against the *Decifion* of Synod thereupon. It is very obvious, that a present Swearing of the said Clause, contains a solemn *approving* of the present national *Establishment* of the true Religion, in opposition to and *exclusive* of any publick stated *Testimony* against the Corruptions and Defections of that Establishment; and that it contains a solemn *approving* of the present national *Profession* of the true Religion by the established Church, in opposition to and *exclusive* of any publick stated *Testimony* against the Corruptions and Defections of that Profession: So that a present Swearing of the said Clause—among Seceders, must very plainly contain a *general and material Renunciation* by *Oath*, of the whole present *Testimony*, as it is stated and maintained in a Way of *Secession*. But various *Shifts* have been used, in defence of that Oath, for evading this plain Sense and Amount thereof: And these *Shifts* have

evidently been carried the Length, of making an open Inroad upon the common Use of Language, yea the common Principles of human Understanding, on that Subject. For,

1<sup>st</sup>, It has been pretended, that the Matter *approven of and espoused*, in swearing the foresaid Clause, *is neither the Profession nor Settlement, but only the true Religion professed and settled*: And for illustrating this, a Supposition being made of a Man having a *Treasure* hid in a *Dunghill*, it is added,—*May he not own and value the Treasure, and yet undervalue the Dung?* But to what Purpose can this Similitude be; unless it were made to run,—that the Man may value his Treasure, *according to its Posture of being hid in the Dunghill*, so as he should engage to *maintain it in that Posture*, without either *changing or cleansing* its Situation? For it is only in this odd Shape, that this Matter could bear *any* (though still but a low and lame) Resemblance, unto the Case of a Man's *swearing* that he *professeth*, and shall *abide at and defend* to his Life's End, the *true Religion*, viewed just according to the present national Profession and Settlement thereof.

And indeed, it is a Distinction of peculiar Absurdity, as well as a Piece of very loose Dealing with Oaths,—to tell us, that the Matter *approven of and espoused*, in swearing the foresaid Clause, *is neither the Profession nor Settlement, but only the true Religion professed and settled*:—As if a Man, in swearing that Clause, were to make *no Account* of these Words of it, *viz. presently professed in this Realm, and authorised by the Laws thereof*: And as if he were not *approving* what he *avows* by these Words; though thereby he *avows* before God, the present national *Profession and Settlement* of Religion, without any Exception: And as if he were not fully *approving and espousing* the said Profession and Settlement; when it is *thereby* that he *describes* the true Religion, describing it to be *the true Religion presently professed in this Realm, and authorised by the Laws thereof*, thus swearing to the true Religion *according to that Description* thereof—and no otherwise.

Moreover, conform to what is *now* alleaged, the *W*—*ses* for Scotland's covenanted Reformation, in the last Century, behoved to have been great Idiots: When, in the Period of Defection before the Year 1638, they *dissented* from an Act of Parliament in favours of the *true Kirk of God and Religion*; because unto the Words, *true Religion*, there were added these Words, *presently professed within this Realm*: And when, in the Year 1638, they refused to renew the national *Covenant* at

at the King's Order; just because, in his Proclamation for that Purpose, he assured them, that he never intended to admit of any Change or Alteration in the true Religion already established and professed; while they inferred from this, that he was requiring the Covenant to be renewed "for the Maintenance of Religion as it is presently professed,—and thus, as "it includeth and containeth within the Compass thereof the "foresaid Novations and Episcopacy;—and accordingly, they renewed the Covenant with an express Reference, not to the present, but to the past Profession thereof—in the former Period of Reformation:—All which may be found explained in the Acts and Proceedings of the Associate Synod, p. 50. 51. 52. 75. & 80.

But though it has been thus pretended, as if what these Brethren are espousing, on the Side of the Burgeſs-oath against the Decision of Synod thereupon, were only a Defence of the true Religion: yet they are now obliged to yield this Point; so far as to be standing up in an avowed Defence of the present national Profession and Establishment of the true Religion, according to that Oath. However,

2dly, As to the present national Establishment of the true Religion, or the present Authorising thereof by the Laws of this Realm: We are told, that any Laws authorising Defection, cannot be among the Laws authorising the true Religion; so that an approving of the Laws authorising the true Religion, cannot imply an approving of any Laws authorising Defection. But what avails such Quibbling? Though Laws authorising Defection be not Laws authorising the true Religion; yet are they not Laws which detract from and impair, or make Wounds and Breaches upon what Laws there are authorising the true Religion? Can any present Laws in favours of Religion be of any present Force and Soundness, further than is allowable by and consistent with other Laws prejudicial to Religion and Reformation, which have been since set up and are presently standing along with them? What Laws there are, then, authorising the true Religion, if they be generally considered, according to their present State and Bearing,—are they not Laws wherein Breaches and Wounds are actually taking place, according to all the Extent of other conjunct Laws that have followed upon them, to the Prejudice of true Religion and Reformation? And all this is the Case, even beside what is blameable in any of the Laws themselves—presently authorising the true Religion. Wherefore a general



ral *Approbation* by Oath, of the present *national Establishment* of the true Religion, or the present *Authorising* thereof *by the Laws of this Realm*; —and such a general Approbation of that Establishment, *amidst* all the *Corruptions* and *Defections* wherewith it is presently loaded and impaired; yea, such a general Approbation thereof, in the very Time of a publick *Testimony*, necessarily stated against the said Corruptions and Defections, —yet without the least *Reserve* about these *Evils*, or the least Hint of *Regard* to that *Testimony*: Must not this very plainly amount unto the *swearing* a general Approbation of the said Establishment, according to what present State and Bearing it has amidst those Corruptions and Defections, in opposition to and *exclusive* of any publick stated *Testimony* against them; so as to be a Swearing of general *Satisfaction* with the present publick State of Religion — among the Hands of the present Civil Government? And what else, what less can this be, than a general and material *Renunciation* by Oath of the whole present *Testimony*, with respect to any Government-*evils* concerning the true Religion?

3dly, As to the present *national Profession* of the true Religion, or, the present *Professing* thereof in this Realm: Very odd Shifts have been used, for salving the Burgefs-oath on that Head.

Sometimes the *true Religion*, and the *Profession* of it, are confounded: So that, in the Course of Reasoning, there uses to be a slipping of the *one* into the place of the *other*; as if the *true Religion*, and the *Profession* thereof, were the *same* Thing; and as if Complaints upon the *Profession*, were Complaints upon the *true Religion*.

But the most peculiar Fancy, perhaps, which could occur upon this Point, is, that of telling us, —that the *Profession* to which the religious Clause of some Burgefs-oaths relates, has no reference to the Church, but to the State; that it is the State or parliamentary *Profession*; — and that Arguments for the Sinfulness of it, drawn from its Relation to the Church, are quite out of Purpose. There is not room here for enlarging upon the gross and dangerous Absurdity of this Position: However, it may be observed in general, that one may justly be astonished, to find a *Profession* of the *Christian Religion*, ranked among *civil Affairs*, and attributed unto a *civil Capacity*; as if this Profession could be competent unto a State or Parliament, in contradistinction from the Church, that is, unto a State or Parliament as such. For it is most obvious, that all *Profession*



*Profession* of the Christian Religion doth *essentially* relate unto and imply the Idea of a *Christian Church*, and Men as *Members* thereof; so that the *Profession* of the true Religion in this *Realm*, must necessarily be the *Profession* thereof by the *Church* in this *Realm*: And the Parliament at the Revolution had some better Sense, than to think that a *Christian Profession*, or *Confession*, could be attributed to them in their *State* or *parliamentary* Capacity; when they expressly ratified the *Confession* of Faith, as the *Confession* of this *Church*.

Moreover, there is yet another strange Turn given to the present national *Profession* of Religion; as if there were only to be meant hereby, the *Reformation-standards* of the Church of *Scotland*, in Doctrine, Worship, Discipline and Government, — abstracting from all *Corruptions* and *Defections*, in the Conduct of the present national Church, with respect to these *Standards*. And the putting of such a Sense upon a present national *Profession*, as to make it signify only the *Standards of Truth* that have been received in a Nation, abstracting from all their present Corruption and Defection, or partial Apostasy, with respect to these *Standards*; this is certainly subversive of all *Use* that was ever formerly made of the Word *Profession* in our Language, — or of the Word corresponding thereto, in any other Language of the World. There may be some Variety in the common Use of the Word *Profession*; as it is sometimes used to signify, more especially but improperly, the *Matter professed*, — and is otherwise used to signify, more especially and properly, the *Professing* of that *Matter*: But it must be *essentially* inconsistent with all Acceptation of that Word, to make it signify the *Matter professed*, *exclusive* of or *abstracting* from the *Professing* of that *Matter*; as no *Matters* or *Standards* of Truth can come under the Name *Profession*, any otherwise than as they are *Matters* or *Standards* which Men do *profess*, that is, which they do *publicly own*, *maintain*, and *observe*. And when the running Epithet of *presently*, or *present*, is given to *Profession*, this must necessarily refer to the *proper* and most *active* Sense of the Word; so that the present national *Profession* can mean nothing else, than what *present owning*, *maintaining* and *observing* there is, by the present national Church, of these *Matters* or *Standards* of Truth which have been received.

And that thus the Shift now used, is but a playing upon the Word *Profession*, contrary to all common Understanding thereof, might be manifested by many Arguments: But it shall only be observed here, that,

1. If this Word *Profession* be traced back to its Original in the *New Testament*, viz. ὁμολογία, —it will be most evident, that it properly and immediately relates to Mens *Actions* and *Behaviour*; for (as Dr. Owen observes, on Heb. iii. 1.) “ὁμολογία is properly a joint *Agreement*, *Consent* or *Concurrence*, “ in the *Declaration* of any thing.”

2. The same Author, on Heb. iv. 13. proceeds thus: “*Profession* is our *avowed Observation* of all evangelical Duties, “ on the account of the Authority of Christ commanding “ them; and Abstinence from Conformity to the World, “ in all Evil, on the same forbidding it.” And (on Heb. iv. 14.) “ Our *Profession*, as formally such, consisting in the “ diligent *Observance* of the Laws and Ways of Christ, is “ continually opposed by the World.” And (on Heb. x. 23.) he teaches, that the *Continuation* of this *Profession* lies “ in a- “ vowing the Faith on all just Occasions.” Moreover, on Heb. iv. 14. he saith of this *Profession*, “ It contains both our “ sacred *Subjection* unto the Gospel, and our *solemn Declara- “ tion* of it:” As to which Declaration, he adds, “ This is “ made *two Ways*, (1.) by *Works*; our Profession by *Works*, “ is our constant and solemn *Observation* of all Christ’s Com- “ mands. —(2.) by *Words*; — the oral open *avowing* of the “ Lord Christ, his Ways and Worship.” And he observes, as the contrary Evils, “ (1.) *Apostasy*, or a total Desertion “ of our Profession; (2.) *Declension*, or going back gradually “ from our Diligence, Progress and Attainments in it.”

3. What Sense, at the Reformation from Popery, was had of *Profession*, as held out in the Words, *true Religion presently professed*, —may appear peculiarly, from an *Act* quoted in the Preamble to the Bond of the national Covenant, anno 1638: Which “ decerns and declares all and sundry, who “ either gainsays the Word of the Evangel received and ap- “ proved,—or that refuses the Administration of the holy Sa- “ craments, as they were then ministrated; *to be no Members “ of the said Kirk within this Realm, and true Religion pre- “ sently professed*, so long as they keep themselves so divided “ from the Society of Christ’s Body.” Now, in this Pas- sage, these Words inevitably run in grammatical Construc- tion, viz. *to be no Members of the—true Religion presently profes- sed*: And whatever Criticisms otherwise may be made upon these Words, they must certainly prove, that in those Days the complex Expression, *true Religion presently professed*, was understood as meaning, not merely the *true Religion*, in Do-ctrine, Worship, Discipline and Government; but also, the  
present

*present* actual *Profession* of that true Religion, as taking place in a Way of sacred *Unity* and *Fellow-membership*, in the *Society* of Christ's Body.

It is therefore most evident, in opposition to all the foregoing Quirks and Evasions, that as the *present national Profession* of the true Religion, -- is a Profession referred to, *avowed* and *approved* of, in a present Swearing of the religious Clause of some Burgeſs-oaths; and as the ſaid *national Profession* can only be that which is preſently made by the *national* or *eſtabliſhed Church*: So this their *present Profession*, according to any received Uſe of Language, can only ſignify, — what publick *owning*, *maintaining* and *obſerving*, of the Truths and Inſtitutions of Chriſt, and of our Reformation-ſtandards, is to be found taking place among *them* at *this Day*. Now, this their *present Profession*, is openly lying in a Courſe of publick Deſections and Corruptions; — *Deſections*, as to *throwing up* with many Branches of *Teſtimony* and Points of *Faithfulneſs*, concerning the *true Religion*; and *Corruptions*, as to *taking up* with various *Errors* and *Evils*, under Colour of the true Religion. Wherefore a general *Approbation* by Oath, of the preſent national *Profession* of the true Religion, or the *present Profeking thereof in this Realm*; and ſuch a general Approbation of that *Profession*, amidſt all the *Deſections* and *Corruptions* wherewith it is preſently loaded and impaired; yea, ſuch a general Approbation thereof, in the *very Time* of a publick *Teſtimony* neceſſarily ſtated againſt the ſaid Corruptions and Deſections, — yet without the leaſt *Reſerve* about theſe *Evils*, or the leaſt Hint of *Regard* to that *Teſtimony*: Muſt not this very plainly amount unto the *ſwearing* a general *Approbation* of the ſaid *Profession*, according to what preſent *State* and *Bearing* it has amidſt theſe Deſections and Corruptions, in oppoſition to and *exclusive* of any publick ſtated *Teſtimony* againſt them; ſo as to be a *Swearing* of general *Satisfaction* with the whole publick *State of Religion* at this Day, among the Hands of the eſtabliſhed Church? And what elſe, what leſs can this be, than a general and material *Renunciation* by Oath, of the whole preſent *Teſtimony*, with reſpect to any *Church-evils* concerning the true Religion?

And thus it appears, upon the whole, that a *present Swearing* — among Seceders — of the religious Clause in ſome Burgeſs-oaths, doth ſo imbarck with the *present national Profession* and *Eſtabliſhment* of Religion, — that it muſt very plainly contain a general *Renunciation* by Oath, of the whole *Seceſſion-teſtimony*, with reſpect to *all* the publick *Evils* of the Day — concerning



concerning Religion—both in Church and State: So that; by their *Defence* of the said *Oath*, in opposition to the Synod's Decision thereupon, there has been a *general* and *material* Overturning of that Testimony;—which awful Work hath been foully pushed on, in the *Toleration*-scheme of their second *Resolution*, with the *Sectarian Projects* which it contains—and whereby it is defended; as will appear in the following *Appendix*, p. 88. 89. 90. 91. 101. & 102. But,

II. These Brethren have not stopt here: They have come next to go more *expressly*, or *particularly* and *formally* to Work, in *running down* that *Testimony* which they had most solemnly espoused; and this awful Work is managed in a Set of *Pamphlets* from that Side.

Concerning these Pamphlets, it may be observed by the by, that they keep the former Engine still playing, in a resolute Defence of the Burgeſs-oath—against the Decision of Synod thereupon: Though their *Defence* of this Oath be so everſive of the foreſaid Testimony; that (as is evident from what has been already laid down) it is really an opening the Door to Seceders, for *ſwearing* themselves back into Communion with the eſtabliſhed Church, in a *joint* Profeſſion and Defence of Religion, againſt any ſeparate Meaſures from them on that Head. And indeed the *Defence* of the ſaid Oath, in oppoſition to any thing publiſhed on the other Side, is turned ſo *deſperate*, that it is like to ſtick at nothing. As for Inſtance, in a late Piece, intituled, *A Review of Mr. Gib's Remarks*, &c. when the Author comes to a Paſſage of the *Remarks*, where it ſeems he could find no other Eviſion, he falls into a direct and groſs *falsifying* of the Language: For in p. 14. & 15. of the *Review*, there is a *Quotation* pretended to be made from p. 14. & 15. of the *Remarks*, as Mr. Gib's *expresſ Words*, upon which there is great Inſulting; though, after all, one will immediately find, by comparing, that the pretended *Quotation* in the *Review*, is not only *different* from, but *contradictory* to the genuine Paſſage in the *Remarks*.

But to return: Though the Attacks expreſſly made upon the judicial *Testimony*, by ſome late *Pamphlets* on that Side, do moſtly proceed from *one* Hand; yet they are juſtly to be conſidered, as what the *whole* Side has embarked in. For, as the main Author of the new Doctrin about *Lies* in the Testimony, has got *two* of his Brethren to embrace that diſmal Scheme, in the *Preface* to his late *Observations*; and as it is well known, that the ſaid Doctrin is now become the *Darling* of their whole Party; So particularly, their pretended

Synod

Synod has ventured to *couch* it in a late fearful *Act* for a *Fast*, as hath been considered in the published *Remarks* thereupon.

The Substance of that new and awful Doctrine, will be found collected in the *Appendix*, p. 100. 101. 104. & 105. But though it was sufficient there, to evince, that the judicial *Testimony*, continued in the solemn *Acknowledgment of Sins*—and *Bond*, comes to be *impugned* and *subverted* by such Doctrine; and though there be not room here for enlarging on this Subject: Yet a few Observations may be added, for *clearing* the *Testimony* against these Impeachments, in exposing the vain *Pretences* upon which they are founded. And,

1<sup>st</sup>, In the judicial *Testimony*, concerning the *Act* of Settlement at the *Revolution*, as to Presbyterian Church Government and Discipline,—the very *Act* itself in this Matter, even beside other concomitant Procedure, is testified against, as making a *retrograde Motion*, whereby *all the legal Securities given to this Church, in that covenanting Period betwixt 1638 and 1650, are overlooked and passed by*;—according to what is observed, p. 100.

Now, what sort of Course is taken for *obscuring* and *explaining away* this Point of *Testimony*,—as there expressed? It is just a pitiful Attempt of defaming the said covenanting Period, by telling us,—that *though there were several legal Securities given to the Church in that Period, which the Revolution-settlement sinfully neglected and passed over; yet the Settlement of Church-government, particularly, had never any other legal Security, after the Act 1592, and that therefore the Revolution-parliament behoved to look back thereto, in establishing the Presbyterian Government.*—As if legal Securities to the Church, did not imply legal Securities to Church-government. Yea as if, though the *Parliament* (by *Act* 4. 1640) ratified an *Act* of Assembly, *ordaining that Episcopal Government be holden unlawful in this Kirk, being not warranted by the Word of God; as also, the civil Places and Power of Kirkmen, being incompatible with their spiritual Function: And though* (by *Act* 5. 1640) they ratified an *Act* of Assembly, *ordaining the Subscription of the national Covenant, as then renewed, with a particular Abjuration of the Government of the Kirk by Bishops, and the civil Places and Power of Kirkmen, as unlawful within this Kirk, upon the Reasons and Grounds contained in the Acts of the General Assembly: And though* (by *Act* 6. 1640) they rescinded all Laws in *favours of the civil Places and Power of Kirkmen; upon Consideration of the Commissioners of the late General Assembly their craving, in behalf*

of the Church, the *Rescission* of these Laws, as *prejudicial to her Liberties, and incompatible with her spiritual Nature*: And though (by *Act* 5. 1644) they ratified the *League and Covenant*, with the *Act* of Assembly authorising the same;—in which *League and Covenant*, after swearing an Engagement for endeavouring the *Preservation* of the reformed Religion in the Church of *Scotland*, in—*Government*, and the *Reformation* of Religion in the Kingdoms of *England* and *Ireland*, in—*Government*, according to the *Word of God*; there follows an Abjuration of *Prelacy*: And though (by *Act* 15. 1649) they added to the King's *Coronation-oath*, a swearing “his Allowance  
“ of the *national Covenant*, and of the solemn *League and*  
“ *Covenant*, and Obligation to prosecute the Ends thereof  
“ in his Station and Calling; and that he shall, for himself  
“ and his Successors, consent and agree to *Acts* of Parlia-  
“ ment injoining the *solemn League and Covenant*, and fully  
“ *establisshing Presbyterian Church-government*,—as they are  
“ approved by the *General Assembly* of this Kirk, and Par-  
“ liament of this Kingdom, in all his Majesty's Dominions:” And though (by *Act* 16. 1649) they ratified the *Act* of Assembly—approving the *Westminster Confession of Faith*; in which *Act* of Assembly it is declared; that (even without the Magistrate's Consent, after humble Remonstrance to him) it is *free to assemble together synodically*, (*viz.* even in General Assemblies), *as well pro re nata, as at the ordinary Times, upon Delegation from the Churches, by the intrinsical Power received from Christ, as often as it is necessary for the Good of the Church so to assemble*: And though (by *Act* 26. 1649) they did “*statute and ordain*, that no Person that is malignant, and  
“ *disaffected to the present Work of Reformation and Cove-*  
“ *nants*,—shall hereafter be—employed in any Place of pu-  
“ blick Power and Trust within this Kingdom:” And though  
“ (by *Act* 39. 1649) they did break the Yoke of *Patronages*, as a *Popish Custom* that *hath no Warrant in God's Word*; which Yoke was bound on by the *Act* 1592:—Yet as if all this, not to mention other Things, had been *no legal Security* to the Settlement of *Church-government*! Again,

2dly, In direct Opposition to the judicial *Testimony*, it is taught, (as observed, p. 101.), That in the Treaty of Union,  
“ the Parliament of *Scotland* do not determine, whether the  
“ Church of *England* was *Episcopal* or *Presbyterian*; they leave  
“ it to the Parliament of *England*, to abolish *Episcopacy* and  
“ settle *Presbytery*, if they had a mind.” And what is the mighty Reason given for this? It is, that the Parliament of  
Scotland



Scotland "leave it to the Parliament of England, to settle the Government of the Church there, as they shall think expedient." But the Thing left them was, *to provide for the Security of the Church of England*, as they shall think expedient: And did not every body know, that by the Church of England, was meant, the *Episcopal Church of England* then taking place? Yea, (as is noticed in the Testimony), did not the *Commission* of the General Assembly then remonstrate against that Clause in the *Act of Ratification*, as containing a *Stipulation or Consent for the Establishment of the Hierarchy and Ceremonies*, in England? But,

3dly, There are yet broader Attacks made against the judicial Testimony, on the Head of the *Revolution*.

As is well expressed in that Testimony, "This Church and Land having groined under the Yoke of arbitrary Government, and a hot Persecution, for the Space of about 28 Years; the Lord was graciously pleased to break the Yoke from off our Necks, by a glorious and surprising Appearance for us at the Revolution, in the latter End of the Year 1688; whereof the Prince of Orange was the happy Instrument, who was afterwards proclaimed King, to the Joy and Satisfaction of all such as had a just Sense of the Worth and Value of their Liberties, religious and civil: Wherefore this Presbytery judge it their Duty to commemorate with Thankfulness the divine Power and Goodness manifested in this wonderful Work, whereby all the three Nations were rescued from Popery and Slavery." Moreover, in the said Testimony, a sad Misimprovement of that glorious and surprising Appearance is complained of and witnessed against, particularly as to the Instances afterwards repeated, p. 103. & 104. And as Mr. Wilson observes, *Def.* p. 316.; "If the Lord shall enter into Judgment with us, on account of the Misimprovement of the Deliverance given us in the Year 1688, and for our manifold Defections and Backslidings from him since that Time, a Furnace seven times hotter than the former may yet be set up in Scotland." But, in direct Opposition to the Testimony against that Misimprovement, some strange Things are now advanced; as are afterwards noticed, p. 104. & 105. And,

1. We are told, that "the national Covenant, as it was sworn to and explained in 1638, and also the solemn League and Covenant, are, by express Acts of the Revolution-parliament, vindicated from the Indignities done to them in the preceeding Reigns:" And for Proof of this we are

generally referred to *Acts* 27. & 28. 1690. Now, among various Acts of the preceeding Reigns, rescinded by these Revolution-acts, there were indeed *three*, relating particularly to the foresaid Covenants; viz. *Act* 5. *Charles II. Parl. 1. Sess.* 2. and *Act* 3. *Sess.* 3. which ordained every Person entering into a Place of *publick Trust*, on pain of being reputed and punished as an *Usurper of his Majesty's Authority*, to sign and subscribe a *Declaration*, bearing that the foresaid Covenants *were and are in themselves unlawful Oaths*; as also *Act* 5. *James VII. Parl. 1. Sess.* 1. which declared, "That the giving or taking the *national Covenant*, as explained in the Year 1638, or of the *League and Covenant*, (so commonly called), or writing in defence thereof, or owning them as lawful, or obligatory upon themselves or others, shall infer the Crime and Pains of Treason."

But after all, there were sundry other *preceeding* Acts against these Covenants:—Particularly, beside some others, there was *Act* 7. *Charles II. Parl. 1. Sess.* 1. whereby all the Subjects were discharged, "to require the Renewing or Swearing of the—*League and Covenant*, or of any other Covenants,—concerning the Government of the Church,—without his Majesty's special Warrant and Approbation; and —to renew and swear the same, without his Majesty's Warrant,—as they will be answerable at their highest Peril:" And likewise, *Act* 2. *Charles II. Parl. 1. Sess.* 2.; whereby this Position, *That it is lawful to Subjects, upon Pretence of Reformation, or other Pretence whatsoever, to enter into Leagues and Covenants*, is declared *rebellious and treasonable*; and it is further declared, that the *national Covenant*, as renewed in the foregoing Period, with the *solemn League and Covenant*, *were and are in themselves unlawful Oaths*,—and that there did lie no Obligation upon any of the Subjects from the said Oaths, or either of them, to endeavour any Change or Alteration of (the then) Government, either in Church or State; which Act also did annul all Acts and Constitutions, ecclesiastical or civil, approving of these Covenants; and likewise declared the Assembly 1638, to have been an *unlawful and seditious Meeting*,—and that all their Proceedings were in themselves from the Beginning, are now, and in all Time coming, to be reputed unlawful, void and null,—and that all foregoing Ratifications thereof should from henceforth be void and null; yea, the whole foregoing Progress of Reformation was thereby declared to have been *unlawful and seditious*: And all this, beside the other Act rescissory, in the foregoing Session of that parliament; whereby all the Parliaments betwixt 1640 and 1648, as having been actuated by *Madness* and

*Delusion*, and unfit to be any longer upon Record, are *rescinded* and *annulled*, with all their Proceedings,—so as the whole should be *held in everlasting Oblivion*.

These, then, were terrible *Acts* against our solemn *Covenants*, whereby they suffered awful *Indignities*: Though (according to what Mr. *Wodrow* observes, *Vol. I. p. 24. & 25.*) it was not till a little afterwards that the Parliament ordained Persons in publick Trust, to subscribe the *Declaration*—renouncing these *Covenants* as *in themselves unlawful*; and not till some Years afterwards that an Adherence unto them was declared *high Treason*. But the foresaid terrible *Acts* against our *Covenants*, doing them such awful *Indignities*, were not, by an express *Act* or any otherwise, rescinded at the *Revolution*: Only that then, by rescinding *after Acts*, Persons in publick Trust were indeed relieved from an Obligation to renounce these *Covenants* as *in themselves unlawful*, on pain of being *punished as Usurpers of his Majesty's Authority*; and the Subjects relieved from an immediate Liableness to be *destroyed as Traitors*, for owning them. Again,

2. We are further taught, that “the Revolution-parliament do *assert* and *avouch* the *alone Headship* of our Lord Christ over his Church, the *intrinsic Power* of the Church, and the *divine Right* of Presbytery:” Which Doctrine is directly everfive of the judicial Testimony; while therein the *General Assembly* at the Revolution, (who did not *assert* (or acknowledge by any formal *Act*) the *alone Headship* of our Lord Christ over his Church, the *intrinsic Power* of the Church, or the *divine Right* of Presbytery), is witnessed against as *keeping Measures with the State in their several Acts and Deeds at that Juncture*.

But now, what particular or direct *Proof* is offered, for the above Novelties of Doctrine? Why, we are referred to the 5th *Act* of the second Session of Parliament at the Revolution, as *rescinding* the *Act*, *James VI. Parl. 21. Chap. 1. ratifying the Acts of the Assembly 1610*: Which pretended Assembly, amidst a Mass of corrupt Proceedings about the Introduction of Prelacy, had interwoven this Expression concerning the *General Assembly*, viz. “The Indiction whereof the Assembly acknowledged to appertain to his Majesty by the Prerogative of his Royal Crown.” Again, we are referred to the *Act, Parl. 1. Sess. 2. April 25. 1690*, rescinding the *Act anent the Supremacy 1669*: Which *Act* of Supremacy had attributed unto the King such a *blasphemous Prerogative*, concerning the *external Government of the Church*, with all *ecclesiastical Meetings*,



*ings, and Matters to be proposed and determined therein, — that whatever Acts, Orders and Constitutions he should think fit to publish concerning these, were to be observed and obeyed by all his Majesty's Subjects: And this blasphemous Act was rescinded, just upon Consideration of the Estates of the Kingdom having declared, in their Grievances, that it is inconsistent with (not the Establishment of Church-government, in general, but) the Establishment of the Church-government now desired, and ought to be abrogate. But in all this Act, or in the fore-said rescissory Clause of the other Act, — there is not one Syllable of our Lord Christ, nor his Headship, nor his alone Headship, nor the intrinsick Power of the Church, nor the divine Right of Presbytery: Though yet we are taught therefrom to reckon, that the Revolution-parliament did assert and avouch the alone Headship of our Lord Christ over his Church, the intrinsick Power of the Church, and the divine Right of Presbytery. However,*

3. For supplying any Defect of the foregoing particular Proofs, with respect to the above strange Points, which are now advanced in contradiction to the Testimony; a *general System* of Proof is brought up, *viz.* the *Act* 27. 1690, rescinding the Laws for Conformity; *Act* 28. 1690, as rescinding the *Anniversary Act*, with some profane and bloody Laws toward the Close of the Persecution; the authorising our *Confession of Faith* and *Books of Discipline*, by *Act* 5. 1690: But especially two *general Clauses* of this last Act, *viz.* “ Their  
“ Majesties, with Advice and Consent of the said three E-  
“ states, do hereby revive, ratify, and perpetually confirm  
“ all Laws, Statutes and Acts of Parliament, made against  
“ Popery and Papists, and for the Maintenance and Preser-  
“ vation of the true reformed Protestant Religion, and for  
“ the true Church of Christ within this Kingdom, in so far  
“ as they confirm the same, or are made in favours thereof; ”  
—and afterwards, upon a particular rescinding of sundry Acts, it follows, — “ with all other Acts, Laws, Statutes, Ordinan-  
“ ces and Proclamations, and that in so far alienably as the  
“ said Acts and others, generally and particularly above  
“ mentioned, are contrary or prejudicial to, inconsistent  
“ with, or derogatory from the Protestant Religion, and Pre-  
“ sbyterian Government now established; ” — with all which there is taken in another Clause, from the *Preamble* of that Act, *viz.* “ Conceiving it to be their bound Duty, after the  
“ great Deliverance that God hath lately wrought for  
“ this Church and Kingdom, in the first place, to settle and  
“ secure

“ secure therein the true Protestant Religion, according to  
 “ the Truth of God’s Word, as it hath of a long Time been  
 “ professed within this Land.”

And this new Body of *Evidence*, is reckoned so far *more* than sufficient for completing the Proof of the *former* Points advanced against the Testimony; that from this, along with the foregoing Proofs, *further* Doctrines everfive of the said Testimony, come to be inferred, even to an astonishing Height, — as are observed, p. 104. & 105.: The Amount whereof is, That “ the Revolution-parliament cannot justly  
 “ be charged with *Omissions*, as to the Settlement of the true  
 “ Religion; the true Religion, *as it was professed and sworn*  
 “ *to* in the second Reformation-period, from 1638 to 1649,  
 “ in opposition to the *Indignities* done to it in the preceeding  
 “ Reigns, was *espoused and professed* by the Revolution-par-  
 “ liament; which does, either more generally, or more for-  
 “ mally and expressly, *rescind all the wicked Laws* that were  
 “ made against *any Part* of the true Religion that was profes-  
 “ sed in *that* Period, as well as the *former*, — and *ratifies all*  
 “ the *good* Laws that *ever* were made in favours of it since the  
 “ Reformation.”

We have now before us, a strange Height of *Contradiction* to the judicial *Testimony*, on the Head of the *Revolution*, — together with the Substance and Strength of what is adduced for supporting such Contradiction: And though there be not Opportunity here, of such Enlargement as might readily fall in on this Subject; yet the following Observations thereupon are proposed. And,

(1.) What is now taught concerning *Act 5.* (or the *Act of Settlement*) 1690, — as if thereby the covenanted Reformation betwixt 1638 and 1649 had been *revived*! in opposition to the *Indignities* done thereto under the persecuting Reigns! by ratifying all the *good* Laws which had ever been made in favours of the true Religion, *as it was professed and sworn to* in that second Period of Reformation! and by rescinding all *wicked* Laws to the contrary! — This might well be reckoned strange Doctrine, were it for no more than these Things, *viz.* Though the Parliaments *themselves*, in that second Reformation-period, had been afterwards *rescinded* and *annulled*, so as not to be any longer *upon Record*, but *held in everlasting Oblivion*; yet there was not one Syllable, in any Acts at the Revolution, of restoring these *Parliaments*, so as their *Acts* might become capable of Ratification. Again, the foresaid *Act 1690* doth particularly rescind some deforming Laws which

which had been *already* rescinded in the said Reformation-period, without *ever* considering them as having become *already* dead and buried in that Period. Further, though the Settlement of Presbytery by the Act 1592, had been afterwards *revived*, with *further Reformation* upon that Head, in the said second Period; yet the said Act was returned to, in the Revolution-settlement, without *one* Syllable about *that* after *Revival* and further *Reformation*. Also, in reviving the Act 1592, at the Revolution, the Clause thereof binding on the Yoke of *Patronages*—is excepted, to be *thereafter* taken into Consideration; without *any* Regard unto the said Yoke having been *already* broken, anno 1649, as a *Popish Custom*, that hath *no Warrant in God's Word*. Likewise, when this Act 5. 1690 comes forward to a particular rescinding some Laws in the persecuting Reign of Charles II. it entirely *overleaps* all the Laws of the *first* Session of his first Parliament, wherein the late solemn *Covenants* and covenanted *Reformation*-- had been awfully overthrown; and as it begins with rescinding the *first* Act of the *second* Session of the same Parliament, so it again *overleaps* the very next, or the *second* Act of that Session,—though this was the terrible Act *Rescissory*, whereof some particular Account has been already given, p. 14. And likewise, the Revolution-parliament came *afterwards* to rescind several wicked Laws concerning Religion in the persecuting Reigns, beside those which had been specified in the Act of Settlement; (while also the Act *anent Religion and the Test*, which the Act of Settlement had expressly rescinded *in so far*, come to be further rescinded by Act 28. 1690): But when afterwards they particularly rescind these *other* wicked Laws, it is without the least Hint of any *Salvo* about the *general Clause* rescissory in the foregoing Act of Settlement; though in another Case (Act 28.), where a Clause is brought in as comprehending a *Part* and *but* a Part of the preceeding *general*, they bring it in with saying, *and but Prejudice of this Generality*. Wherefore, as the *general Clause* rescissory in the Act of Settlement could enervate *no* former Laws, farther than as they should be *found* inconsistent with the Settlement *otherwise* made in that Act; so it must be very unaccountable to suppose, that the said general Clause was intended to remain *effectual*, against *any* wicked Laws concerning Religion in the persecuting Reigns, which came not *afterwards* to be *otherwise* rescinded.

And so, in an *Index* and *Abridgment* of the Scots Laws, for two or three hundred Years back, carried on till some Years after



ter the Revolution, by Sir *James Stuart* the King's Advocate ; which Book, of common Use among those who deal in Law-matters, has undergone more than one Edition, and is printed with a Privilege by the Lords of *Privy Council*,—without any Censure, as if it were any ways injurious to the present Law or Government : Though the several Laws, both *before* and *after* our *second Reformation*-period, be there condescended upon, as to what they import and when they were made, with the several Rescindings and Revivings which any of them had afterwards undergone ;—yet both the *Parliaments* and *Laws* of that Reformation-period, which came to be annulled at the Restoration, are there *passed in Silence* as if they had never been ; further than that the infamous *Acts rescissory*, overthrowing these Parliaments and Laws with the whole Work of Reformation in that covenanting Period, are there laid down in the same Way as any other *standing Laws*, without any Insinuation of their having been either *formally* or *materially* rescinded at the Revolution. And Mr. *Wodrow*, in the first Volume of his History published about 28 Years ago, when speaking of the wicked *Act* rescissory *anno* 1662, (whereof some particular Account has been already given, p. 14.), he says, p. 118. & 119. “ They declare it a treasonable Position and seditious, *That it is lawful for Subjects to enter into Leagues and Covenants for Reformation* ; this Declaration runs so flatly in the Face of Scripture, Reason, and the approved Practice of many, that it is a Shame and Reproach that it stands in the Body of our Scots Laws, and casts a Slur upon our excellent Reformation from *Pope-ry*, which upon the Matter is here declared to have been seditious and treasonable.”—Wherefore it must appear very odd to tell us *now*, and to bring in the *Act of Settlement* for the chief Proof of it, as if the *covenanting Reformation* betwixt 1638 and 1649 had been *revived* at the Revolution, in opposition to the *Indignities* done thereto under the persecuting Reigns !

Moreover, if it indeed held, as is now taught, that *all* the good Laws which were made in favours of the *true Religion* in that reforming Period, as it was then professed and sworn to, were *ratified* at the Revolution ; this behoved to comprehend a *Ratifying* of the following Laws, among others, *viz.* *Act* 5. 1640, *anent the Ratification of the Covenant*, as it was renewed in that Period ; which doth *ordain and command the said Covenant to be subscribed by all his Majesty's Subjects* ; and also *ordain the samen to be presented at the Entry of every Parliament*,

ment, and before they proceed to any other Act, that the same be publickly read, and sworn by the whole Members of Parliament claiming Voice therein, otherwise the Refusers to subscribe and swear the same shall have no Place nor Voice in Parliament. Also Act 5. 1644, which approves and confirms the League and Covenant, together with the Acts of the Kirk and Estate authorising the same. Likewise Act 15. 1649, which ordains, that before the King be admitted to the Exercise of his Royal Power, he shall assure and declare by his solemn Oath, under his Hand and Seal, his Allowance of the national Covenant, and Obligation to prosecute the Ends thereof in his Station and Calling; and that he shall consent and agree to Acts of Parliament injoining the Solemn League and Covenant, in all his Majesty's Dominions. And also, Act 26. 1649, which doth "statute and "ordain, that no Person that is malignant, and disaffected to "the present Work of Reformation and Covenants, and against whom there is just Cause of Exception, or just Ground "of Jealousy, because of their Disaffection,—shall hereafter "be—employed in any Place of publick Power and Trust "within this Kingdom:—And it is statute and ordained, "That if—after—being—employed in Places of Power and "Trust, they shall make Defection to the Malignancy,—this "their Malignancy—being proved against them, shall be a "sufficient Cause to the Parliament of this Kingdom, or any having Power from them for that Effect, to—remove "or suspend these Persons from the Places of Power and "Trust." Now, though indeed none of the above Acts either could or ever pretended to make such religious Qualifications essential to the Nature and Validity of civil Offices and Power; while they only contained Limitations for the more suitable and profitable Exercise thereof, by those who had Authority to make and maintain such Limitations: Yet seeing the Authors of the new Doctrine about the Revolution, are not come the Length of denying that these were Laws in favours of the true Religion, as professed and sworn to in our second Reformation-period; what they are now advancing, (as if all the good Laws then made in favours of the true Religion as then professed and sworn to, had been ratified at the Revolution), must therefore import, that particularly these Laws were revived, and so returned to their Effect, at the Revolution. And shall any think, that they can get the World persuaded of such absurd Fancies? Or can the new Doctrine which is advanced on this Head, be of any better Comparison,

son, than unto the Extravagancies of a *Dream*, running directly cross to the most palpable Reality and Truth of Things? However,

(2.) This extravagant Notion, That *all the good Laws* which had ever been made in favours of the true Religion *as it was professed and sworn to* in our second Period of Reformation—were *ratified*, and that *all bad Laws* to the contrary—were *reseinded*, at the Revolution; this is now taught with great Confidence, especially from the forefaid *general Clauses* in the Act of Settlement.

And here it may be first observed, that it is but an empty Affair, to triumph about this new Interpretation of these general Clauses, upon the Maxim of *Generals including Particulars*: Seeing that *new Interpretation* of these Clauses is refused, not just because they are *general*,—but because they are *otherwise* so laid and circumstantiated, as that they *cannot admit* of any such Interpretation.

In the next place, It behoved to be a very loose and absurd Way of dealing with such *general Clauses* in an Act of Parliament, to receive them as comprehending *all that we could mean* by the Words thereof, abstractly taken: When the only proper Reception of them must be, according to what we have Reason to conclude the *Parliament means* by them, as they are laid and circumstantiated.

Accordingly, the *new Way* of explaining these general Clauses, is so very absurd and awful,—that it equally serves for *justifying* the *parliamentary* Procedure about Religion, amidst *all Apostasy* and *Persecution* that had ever taken place in *Scotland*, since the Reformation from Popery. For as *general Acts* cannot, in the Nature of the Thing, be any worse than *general Clauses*, in favours of the true Religion; so, under all the said Apostasy and Persecution that had formerly taken place, there still were *general Acts* passed about the true Religion,—of as *fair* and *favourable a Strain*, in themselves, as any *general Clauses* at the Revolution. Thus, in the Year 1600, after King and Parliament had made considerable Progress in Apostasy, as to the introducing of Prelacy; yet they passed the following *Act*, viz. “ Our Sovereign Lord, with  
“ Advice of the Estates of this present Parliament, ratifies,  
“ approves, and confirms the Liberty of the true and holy  
“ Kirk, and Religion presently professed within this Realm,  
“ and established by the Laws of the same, and *all Acts*, Con-  
“ stitutions and Immunities, made and granted to the same,  
“ as well in his Highness’s Minority, as since his perfect Age:



“ And ordains the same to be put to Execution in all Points,  
 “ against all Persons whatsoever, in all Time coming.”  
 Again, in the Year 1633, when the Apostasy of that Period  
 was come to a much greater Height, and still a-carrying on ;  
 another *Act* was passed, as follows, *viz.* “ Our Sovereign  
 “ Lord, with Advice and Consent of the Estates, ratifies and  
 “ approves *all and whatsoever* Acts and Statutes made before,  
 “ anent the Liberty and Freedom of the true Kirk of God,  
 “ and Religion presently professed within this Realm ; and  
 “ ordains the same to stand in full Force and Effect, as if  
 “ they were specially mentioned.” Moreover, during the  
 late Period of horrible Apostasy and Persecution, two similar  
*Acts* took place, *viz.* toward the End of the Reign of *Charles II.*  
*anno* 1681, which was one of the hottest Years of the Perse-  
 cution,—a general *Act* was passed, ratifying and approving  
*all and whatsoever* *Laws, Acts and Statutes*, made by King  
*James VI.* and King *Charles I.* (in whose Time *both* our former  
 Periods of Reformation had taken place), *for settling and securing*  
*the Liberty and Freedom of the true Kirk of God, and the Pro-*  
*testant Religion presently professed within this Realm :* Yea, in the  
 Year 1685, which was another of the hottest Years of the Perse-  
 cution,—when the Duke of *York*, a professed Papist, had  
 come to the Throne ; an *Act* was made of the Tenor follow-  
 ing, *viz.* “ Our Sovereign Lord, with Consent of his Estates  
 “ in Parliament convened, ratifies and confirms *all* the Acts  
 “ and Statutes formerly passed for the Security, Liberty and  
 “ Freedom of the true Church of God, and the Protestant  
 “ Religion presently professed within this Kingdom, in their  
 “ whole Strength and Tenor, as if they were here particular-  
 “ ly set down and expressed.”

Now, considering the very wide and fair Terms in which  
 these Acts were laid,—as plausible, in themselves, as any ge-  
 neral Clauses at the Revolution ; if the Witnesses for Refor-  
 mation had then fallen upon the *new Way* of explaining such  
*Generals*, by considering them abstractly, according to *all* that  
 they *themselves* could have *meant* by such fair Words,—how  
 might they hereupon have gone to Work ? Why, even du-  
 ring the greatest Height of the Apostasy and Heat of the Perse-  
 cution, they might have reasoned as follows, *viz.* “ What-  
 “ ever wrong Courses the Parliament has *lately* been taking,  
 “ yet they are turned right *now* ; all is going *right*, and *tight*,  
 “ and *well* with them *now* : They have now come to *approve*,  
 “ *ratify* and *confirm* the *good Laws, Acts and Statutes* former-  
 “ ly made for the Security, Liberty and Freedom of the *true*  
 “ *Kirk*

“ *Kirk of God, the true and holy Kirk,—and the Protestant Religion, the true Religion, presently professed in this Realm:* And it is not only *some* of these good Laws, or *such* of them as had been left *unrescinded*, that they now *ratify* and *confirm*; but it is *all* of them; *all and whatsoever* such good Laws, Acts and Statutes, about the true Kirk and true Religion, as have been *formerly passed* since the first Dawning of the Reformation from Popery; and they are *all* now ratified, in their *whole Strength* and *Tenor*, as if they were *particularly* set down and expressed: And thus the *true Religion, as it was professed and sworn to* in our Reformation-periods, is now again *espoused* and *professed* by the Parliament; as they *now*, either more generally or particularly, do strongly ratify *all the good Laws* that *ever* were made in favours of it since the Reformation; whereby *all the bad Laws* that have ever been made to the contrary, are consequently overthrown!”—But the Witnesses for Reformation, in those Days, were not left to *dream* themselves out of their Testimony, or to *prostitute* Conscience and common Sense unto the Chime of Sounds and Syllables, by falling into such fanciful Reasonings.

What therefore was the fairest View they could reasonably take of such general Acts, or what was the best Notion of them that could then occur to the thinking World? Why, they just behoved to reckon, concerning such *general Acts*, let the Language of them be *as fair* as Words could make it,—that yet they *really* amounted to no more, than a general ratifying of *such* former Laws about the Church and Religion as might *quadrature* with the *particular Settlement* which was *otherwise* taking place at the Time.

Just so, if we consider the *general Clauses* in the Act of Settlement at the Revolution, according to any common Sense; we must conclude, that they *really* amounted unto no more, with respect to *any* former Laws about the Church and Religion, —than a general reviving and ratifying of *such* as should be found *agreeable*, and rescinding of *such* as should be found *disagreeable*, unto the *particular Settlement* which was *otherwise* made by the said *Revolution-act*. But the *particular Settlement* made by that Act, was in a Way of *utter Silence* about the Reformation-period betwixt 1638 and 1649, as if such a Period had *never been*; as also in a Way of *going directly by*—and *leaving untouched*, all the Acts of the first Session of Parliament at the Restoration, with the second Act of the next Session of the same Parliament,—whereby the covenanted Reformation

of the said Period had been *razed*: And so the *particular Settlement* of this Revolution-act, was evidently made to *stand in a Consistency* with the *Burial* of that covenanted Reformation by those *Acts rescissory*: Wherefore it must be very odd to suppose, that the *general Clauses* in this Act of Settlement could *contradict* the *particular Settlement* therein, by making *real Opposition* to these *Acts rescissory*, in favours of the said Reformation-period. And indeed to teach, that the *Work of Reformation* betwixt 1638 and 1649, which was *undeniably left buried* in the *particular Settlement* of this Revolution-act, could yet find any *Revival* in the *general Clauses* thereof whereby that *particular Settlement* was fenced,—is a Scheme of such glaring Absurdity, as scarce needs to be exposed. And,

(3.) It is quite vain to pretend, that this *new Fancy*, as if our late covenanted Reformation had been revived by the Revolution-settlement,—can derive any *real Countenance* from the above mentioned *Clause* in the *Preamble* of the Act of Settlement, or from the authorising of our *Westminster Confession* by the same Act. For the Expression in that Clause, about settling the *true Protestant Religion as it hath of a long Time been professed within this Land*, can bear no such Improvement: Considering that the *Protestant Religion* had been *some way professed* in this Land, (though very differently at different Times), *all along* since the Reformation from Popery; and considering also that the said Expression is so general and indefinite, as to *abstract* from any *Distinction of Times* since the first Reformation, with respect to the said Profession;—so that it evidently *abstracts* from every thing in the Profession of the Protestant Religion, but what was *common* unto *all* these Times.

And as little can be inferred, in the present Case, from the authorising of our *Westminster Confession* by the Act of Settlement. For, in that Act, the said *Confession* begins to be mentioned in a Way of *overlooking* any *special Designation* that it had under the late covenanting Period,—but by this *new Designation*, viz. the *Confession of Faith now read in their Presence*. Again, the Expression of ratifying it *as the publick and avowed Confession of this Church*, is so abstract and indefinite,—that even though it had been designed to look farther back than the Church-diffusive of Presbyterians, then come out of the Furnace of Persecution, who were then beginning to recover and be acknowledged in a national Church-state: Yet still no *particular Account* is made of the *Act of Assembly* 1647, adopting the said *Confession*; and there is *no Account at all* made



made of the necessary *Limitation* and *Explication* wherewith it was adopted by that *Act*,—nor of the *Ratification* thereof by the *Parliament* 1649, according to the said *Act of Assembly*;—and it is now ratified, in a Way of abstracting from the *by-gone reforming Consideration* thereof, as a *covenanted Point of Uniformity* in the *three Kingdoms*: Yea this *Act of Settlement*, in the *ratifying* of that *Confession*, doth so far abstract from all *Consideration* of any thing *proper* and *peculiar* to the *Presbyterian reforming Church of Scotland*, concerning the said *Confession*; that it is ratified under *no more particular View*, than *as the publick and avowed Confession of this Church*, containing the *Sum and Substance of the Doctrine of the reformed Churches*. But,

(4.) In order to a clearer and more comprehensive View of this whole Affair, let us next make a brief *Compariſon* of what has been laid down as witnessed against in the *Testimony*—about State-procedure at the Revolution, with what is now advanced to the contrary, as to the *Evidences* on both Sides; and it will be very obvious, on what Side the Balance falls.

What has been laid down as witnessed against in the *Testimony*, about State-procedure at the Revolution, depends upon *immediate* and *direct Evidences*: Which are briefly as follows.—That the abolishing of *Prelacy* was upon *Consideration* of its being a *great and insupportable Grievance to this Nation*, (which even a good Thing can be to an ill or prejudiced Nation); and *contrary to the Inclination of the Generality of the People ever since the Reformation*, (which was a Reason wholly political); *they having reformed from Popery by Presbyters*, (which was a Ground merely occasional): And the *State-act* did thus abolish *Prelacy*, according to the *PEOPLE's Claim of Right*; without acknowledging any old or calling for any new *Church-act*, which had or might have condemned it, according to *CHRIST's Claim of Right* in the Matter. That the Settlement of *Presbytery* was in pursuance of the *Act* abolishing *Prelacy* according to the *Claim of Right*; in the Close of which *Act* there had been a Resolution declared, to settle by Law that *Church-government in this Kingdom which is most agreeable to the Inclinations of the People\**: And this Settlement of *Presbytery* was in a Way of reviving the former Set-

\* The Settlement of *Presbytery* was without expressing any *scriptural* Consideration of it, any more particular than that of being agreeable to the *Word of God*; which is a Position that will hold about all the different Forms of civil government, and all Schemes of human Policy concerning Things of themselves indifferent, according as any of them shall prove most expedient.

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tlement thereof *anno* 1592 †; without considering *that Revival* of the said Act 1592, with the *further Reformation* concerning it, or any *further* legal Securities to this Church,—which had afterwards taken place in the late *covenanting Period* ‡. That in the above Settlement of Presbytery, some *old Acts* were rescinded, which had *already* been (and more suitably) rescinded in the said covenanting Period, without any Consideration of their having been so: And the Part of the Act 1592 relating to *Patronages*, was reserved for *after* Consideration; without regard to its having been *already* made void by the Parliament 1649. That whatever be said in some Revolution-acts, about reviving any *former Laws*; yet they have never a Word about reviving any *former Parliaments* betwixt 1640 and 1650, which had become annulled,—though it was not till the Revival of these *former Parliaments*, that any thing they had done could come to be legally understood as belonging to the Category of *former Laws*. That *those* Acts of the first Session of Parliament at the Restoration, with the second Act of the second Session thereof, whereby the late covenanted Reformation had been awfully overthrown,—were not *condescended upon* or *culled out* by any *rescissory* Acts or Clauses at the Revolution, though some *other* Acts of that Restoration-parliament were so. That though some *tyrannical* and *bloody Acts* of the late Reigns, which did properly look *forward*, striking directly against the *Subjects* who should own or not renounce the Covenants,—were rescinded at the Revolution: Yet there had been some *other* wicked Acts before these, which did properly look *backward*, striking directly against the *Covenants themselves* as they had been solemnly en-

† When the Act of Settlement observes, that *Presbytery*, having been established by the Act 1592, was “thereafter received by the general Consent of this Nation, to be the only Government of Christ’s Church within this Kingdom;” this did plainly abstract from an acknowledging that *Presbytery* (as well as *Presbyters*) had got Footing in Scotland before that Time; and it was applicable to the Case of the Nation during some Years after that Time, till Prelacy was got introduced: But the Observation of its having been *thereafter received*, did plainly abstract from the Case of its having been *thereafter revived*, in the late covenanting Period; and of its having been *then received* as a Point of Uniformity for the three Kingdoms.

‡ When the Presbyterian Church-government was indefinitely established in the Hands of those *Presbyterian* Ministers, who had been outed since the first of January 1661; this did *wave* a making any account of what *Defection* from the late covenanted Reformation, had been taking place, in the Way of the *Publick Resolutioners*, and of the *Compliers* with the *Indulgences* and the *Toleration*.

tered into and prosecuted under the foregoing Period; discharging any *Renovation* of them without *his Majesty's Warrant*, and afterwards declaring them *in themselves unlawful Oaths*, and pretending to dissolve the *Obligation* thereof,—as also, declaring against that former *covenanting Work*, as if it had been *seditionous, rebellious and treasonable*; which Acts were not *condescended upon* or *culled out* by any *rescissory* Acts or *Clauses* at the Revolution. And, in a word, that in *any* Acts at the Revolution there was *no mention* made of the late *Reformation-work*, or of our *solemn Covenants*,—more than if such Things *had never been*.

It is then upon such *Evidences* as above, (which are generally expressed or implied in the Testimony, and which are otherwise very notour), that the Testimony has these Complaints of the Revolution-settlement, *viz.* “*Prelacy is never considered as contrary to the Word of God, and abjured by our Covenants*; nor our *Presbyterian Church Government* and Discipline, as what the Land is bound and obliged to maintain, by the most solemn *Oaths* and *Covenants*: A *retrograde Motion* is made, near an hundred Years backward; and *all* the legal Securities given to this Church, in that covenanting Period from 1638 to 1650, are *overlooked* and *passed by*: Likewise all the Acts of the first Session of the first Parliament of King *Charles II.* together with the *infamous Act rescissory* (*anno 1662*), whereby a covenanted Reformation was razed, and the Acts and Deeds of that covenanting Period were declared *seditionous and treasonable*, are *left untouched* in this above mentioned Settlement: The *Indignities* done to the *national and solemn League and Covenant*, and consequently to the most high God, the great Party in them, are never regarded; but these *solemn Oaths* and *Covenants* are *left buried* under an *Act rescissory*, and other Acts and Deed subversive of them.”

Well, when the *new Scheme* is brought forth, in opposition to the Testimony on these Points; is it in the Way of making any candid and *fair Attempt* to disprove such *immediate and direct Evidences* upon which the Testimony proceeds in this Matter? By no means. Or is it in the Way of producing any *immediate and direct Evidences* for supporting the new Scheme? Not at all. How then is the Affair managed? how is that Scheme offered to be supported? Why, it is just by a Number of *strained Inferences* and *loose Fetches* from some Acts of Parliament, with *forced and absurd Glosses* upon general *Clauses* thereof.



We are roundly told, that “the *Revolution-parliament* do  
 “*assert and avouch* the *alone* Headship of our Lord Christ o-  
 “*ver* his Church, the *intrinsic* Power of the Church, and  
 “the *divine* Right of Presbytery :” And without there being  
 one Syllable of such Things in any Acts at the Revolution ;  
 we are taught to infer all from an *Act* rescinding the *Act* of  
*Supremacy* 1669,—and from the *Act* of *Settlement*, in its re-  
 scinding the *Act* *James VI. Parl. 21. Chap. 1.* as also in its  
 ratifying our *Confession of Faith* and *Books of Discipline*. But it  
 is very odd, to draw any such Inferences from the bare rescind-  
 ing of that *Act* *James VI.* or of the *Act* of *Supremacy* 1669 ;  
 considering what has been already observed upon this Matter,  
*p. 15. & 16.* : And considering further, that the rescinding of  
 these Acts was only in so far as agreeable to, or in conjunction  
 with, the reviving of the *Act* 1592 ; by which the Assembly  
 was still *deprived* of Power, where the King or his Commis-  
 sioners are present, to *nominate* and *appoint* Time and Place for  
 their next Meeting. And as to the alledged ratifying of our  
*Books of Discipline*, (which must be meant of such a Thing ha-  
 ving been materially implied in the revived *Act* 1592), with  
 the ratifying of our *Confession of Faith* ; it is as odd to draw  
 any such Inferences from these Topicks : Considering what  
 has been already observed, about the *Manner* of ratifying that  
*Confession*, with the *Manner* wherein *Prelacy* was abolished, and  
 our *Presbyterian* Church Government and *Discipline* restored,  
 at the Revolution : And considering further, that, according  
 to such a general and loose Way of Reasoning, the present e-  
 stablished Church might be called *sound enough* in Doctrine, be-  
 cause they profess to retain our *Westminster Confession* ; yea, e-  
 very corrupt Church, and even gross Hereticks, might be said  
 to assert and avouch *all sound* Doctrine, because they profess  
 to maintain the *Bible*.

Again, we are taught, that “the *national* Covenant, as it  
 “*was* sworn to and explained in 1638, and also the solemn  
 “*League and Covenant*, are, by express Acts of the *Revolu-*  
 “*tion-parliament*, *vindicated* from the *Indignities* done to  
 “them in the preceeding Reigns.” And after all, as there  
 is no Revolution-act that makes any mention of these *Cove-*  
*nants*, or of *Indignities* done them, or of *vindicating* them :  
 So the *Acts* we are referred to on this Head, do contain no-  
 thing about it, but a *vindicating* the *Subjects* from *Tyranny* and  
*Butchery* on account of these *Covenants* ; leaving the *Cove-*  
*nants themselves* to be considered according to other unrescind-  
 ed Acts, as hath been already explained.

Moreover,

Moreover, it is advanced, that “the Revolution-parliament cannot justly be charged with *Omissions*, as to the Settlement of the true Religion; the true Religion, *as it was professed and sworn to* in the second Reformation-period, from 1638 to 1649, in opposition to the *Indignities* done to it in the preceeding Reigns, was *espoused and professed* by the Revolution-parliament; which does, either more generally, or more formally and expressly, *rescind all the wicked Laws* that were made against *any Part* of the true Religion that was professed in *that Period* as well as the *former*, and *ratifies all the good Laws* that ever were made in favours of it since the Reformation.” And what are the fine Evidences produced for supporting such high Points! Why, there is first the ratifying of our *Confession* by the *Act of Settlement*, with the great Doctrine about some *general Clauses* in that Act: But how *grossly* unaccountable and absurd it is, to make such *Inferences* from or put such *Glosses* upon these Things, has been already detected. And what are afterwards adduced, is the *Act* 27. 1690, which rescinded the arbitrary and persecuting *Laws for Conformity*,--with the *Act* 28. 1690, as rescinding some other profane and bloody Laws toward the Close of the Persecution, and rescinding the *Act for a solemn Anniversary Thanksgiving*; (the rescinding of which Anniversary Act was in a Way of *abstracting* from and *waving* all other or further Consideration thereof, than as *now* either *useless* or *found to be hurtful*; so that all the *real Effect* of this rescinding, was the People’s Freedom from any *legal Obligation* to keep the 29th of *May for ever as an holyday to the Lord*, in Thanksgiving for the Restoration of King *Charles II.*): But what *further*, in any common Reason, could the Amount of *these Acts* belong unto, than unto the *great Deliverance* from arbitrary Government and Persecution, which the Nation met with at the Revolution; and as *coinciding* with the Overthrow of *Prelacy*, according to the *peculiar Manner* wherein *Prelacy* was abolished, and *Presbytery* restored, at that Time.

Well then, after all the Parade wherewith the *new Scheme* about the Revolution has been given out, as a Thing *proven and demonstrated*; yet there is nothing to be found in the alleged *Proofs* and *Demonstrations* thereof, but a Huddle of such *strained Inferences* and *loose Fetches* from some Acts of Parliament, with such *absurd Glosses* upon some general Clauses of them,—as cannot deserve any room but in *Fancy no Faith*. And are these of any Moment, for counterbalancing the *immediate and direct Evidences* on which the *Testimony* proceeds in the present Case? Or can they warrant a Man’s Conscience,

at this Time of Day, for *flitting about and changing Sides*, as to that solemn witnessing and covenanting Work which the Lord has graciously brought forth amongst us?

The *Acts* of Parliament which are boasted of in this Affair, do indeed serve for proving what the Testimony *never denied*; as to that *glorious and surprising Appearance* which the Lord made for us at the Revolution, in that *wonderful Work* of delivering this Nation from the Yoke of *arbitrary Government* and a *hot Persecution*, whereof the late King *William*, who acted in *Scotland* by his Parliament and Ministry there, *was the happy Instrument*; and as to the Overthrow of *Prelacy*, with the Establishment of the *Protestant Religion* and of *Presbytery*, according to the Manner which has been already explained. But what says all this as to the Case of our making a *grateful and suitable Appearance* for the Lord at that Time, in *returning* to the Lord and his Work, according to the *due Pattern* of the late covenanting Period?

It is quite off the Purpose to talk here, about how far any Obscurities, Ambiguities or general Terms of Law, ought to be explained *in favours* of the *People*, or about what *Benefit* of Law we might claim to ourselves, *against the civil Power*: For the Plea now taken in hand is of a quite other Nature; as it is a *pleading* from some *Acts* of Parliament, *in favours* of the civil Power, and People, and this *whole Generation*, *against God*. The Matter called in question, is about us in this *Generation* having many ways *served ourselves Heirs unto the Sins and Backslidings* of our *Fathers*, according to some particular Instances condescended upon in the Testimony: And so the *new Scheme* broached in opposition to the Testimony on that Head, is properly a Scheme of *rejecting* these *Causes* of the Lord's Wrath, *exploding* these *Grounds* of his Controversy, and *casting* these *Articles* of his *Indictment* against this Generation. And what is there offered for supporting such a Scheme, in the present Arguings about some *Acts* of Parliament? Is there *any one* particular or definite Word brought in from any of these *Acts*, *to the contrary* of these Things laid down in the Testimony? Not one. Do any of these *Acts* make the least mention of the late covenanted *Reformation*, or of our solemn *Covenants*, or of *Prelacy* as contrary to the *Word of God*, and *abjured* by these *Covenants*, or of *Presbytery* as what the Land was *bound* by these *Covenants* to maintain, —more than if such Things *had never been*; or do they contain *any one* particular Hint about *reversing* the above mentioned *Acts* *rescissory*, whereby the said *Reformation* and *Covenants* had been buried, (and which are laid out among *stand-*



ing Laws, in our common *Index of Laws*, to this very Day)? By no means. But all the Scheme is built upon a confused *straining* of some Acts which are not to the Purpose; and especially, upon such an Improvement of some *general Clauses*, as cannot consist with the Nature of these Acts—in the *particular Settlement* thereby made,—and as could have served, by a just Parallel, for *exploding* the Charge of *State-defection*, during the Heat of the *Persecution*, according to what has been formerly observed. Moreover.

(5.) The Awfulness of the new Scheme about the Revolution, comes to be vastly *aggravated*, from the *Application* which is made thereof unto the *present Time*. The high Things which have been advanced as taking place *then*, concerning Religion and Reformation, are all brought forward as *presently* taking place in the same Way *still* \*; and that for Defence of a *present* Swearing of the religious Clause in some Burgesses-oaths. Thus, however the *alone Headship* of Christ over his Church, the *intrinsic Power* of the Church, and the *divine Right* of Presbytery,—have come to be farther incroached upon since the Revolution; by the *Toleration*, *Patronage*, and *Porteous Acts*; as also, by sundry Laws made with *ecclesiastical Penalties*, and otherwise: Yet we are taught to believe,—that the *alone Headship* of Christ, the *intrinsic Power* of the Church, and the *divine Right* of Presbytery, are *asserted* and *avouched*, in the national Settlement of Religion at *this* very Day! Again, however our *solemn Covenants*, our *Covenant-union* with *England*, and the whole *Reformation-work* of the late covenanting Period,—have come to be laid under *new Grave-stones*; by the Articles of the *Union-settlement*, (which also “enacts and declares, that *all* Laws and Statutes “in *this* Kingdom, so far as they are contrary to, or inconsistent with the Terms of *these* Articles, as above mentioned, shall from and after the Union *cease* and become void”); as also by the *Abjuration-oath*, and otherwise: Yet we are taught to believe, that the *national Covenant* as it was sworn to and explained in 1638, and also the *solemn League and Covenant*, do yet stand *vindicated* from *Indignities*,—and that the true Religion, as it was *professed* and *sworn to* in the second Reformation-period, does yet stand *espoused*, *professed* and *ratified*,—in the national Settlement of Religion at *this* very Day!—And of what a lamentable Tendency is all this, to withdraw the Generation from a Sight and Sense of their Apostasy,—and to wrap up the Causes of the Lord’s Wrath against them, in a Cloud of the most extravagant Fancies? But,

(6.) Before concluding the present Article, we may take some View of the vast Odds betwixt the *Birth* of the judicial *Testimony*, and the *Outbreaking* of this *new Scheme*, whence the Awfulness thereof will be somewhat farther evident.

That solemn Testimony was *brought forth* in a Way of serious Deliberation at many Meetings, with sundry Days of *Fasting* and *Prayer*, in the *Associate Presbytery*: And particularly, soon after their first entering on that Work, they were exercised (as their Minutes bear) in a Day of solemn Fasting and Prayer, "That the Lord may be graciously pleased to discover unto them, the *several Steps* of Defection that have been made in this Church and Land, and *direct* them unto a free and faithful Enumeration of them."

But as to the *new Scheme*, pretending to discover *Mistakes* and *Falshoods* in the Enumeration of publick Evils there made about the Revolution; has it come forth as the Fruit of any such *Deliberation* and *Exercise*, among the Brethren on that Side? Not at all. It hath broke out from *one* of them, as a pestilentious Infection; in consequence of his *tacking* suddenly about from some *Adherence* he had been making, a *few Months* before, to his *old Profession* on this Head, in the first of his Pamphlets libelled. And all comes out as a *By-blow* to the Testimony, from his Endeavours of being *valiant for themselves*, in that absurd Situation into which he and his Brethren had slung themselves out of the Associate Synod. Yea, whereas there had been a grave *Freedom* and *Faithfulness* used, in framing the Testimony; this new Flood of Contradiction to it runs along in such Streams of *Fury* and *Fancy*, as will not readily find a Parallel in any other Writings of the Age.—Thus has the *Scheme* broke out; and the working thereof has been like that of a *spreading Ulcer*, or as a *little Leaven which leaveneth the whole Lump*. However,

4thly, It has not sufficed to go *these* awful Lengths which have been already considered, in running down the received Testimony: But it comes further to be *all* overturned and exploded *by the Lump*; while we are told, (as is afterwards observed, p. 105.), "That the historical *Facts* in the Testimony, such as these relating to the *Revolution*, were always excepted by the Associate Judicatures, from being any proper Part of it, as a Testimony binding the Conscience before God;—which formerly were judged *no binding Part* of it at all."

What then is offered for *proving* this odd Story, as to the Associate Judicatures having *ever* made such an *Exception* about the *historical Facts* of the Testimony? Nothing but another

ther Fancy of the Author's, which is still more astonishing, viz. That "by this *Exception* or Declaration frequently, openly and judicially made, Multitudes were clear to make Accession and embrace the Testimony, who otherwise could not do it, because of their Scruples at these historical Parts of it." Now here is a *new* Piece of History, which every body, who comes once to reflect upon it in a *calm Mood*, may easily take up as carrying its *Destruction* in its own Bosom: For the Thing here told, about the *Associate Judicatures* formerly, is what their greatest enemies *will* scarcely believe; and the Thing told, about *Multitudes* making Accession to them, it is at no rate *believable*.

It cannot be well supposed, that any *will* believe what is here told concerning the *Associate Judicatures* formerly: As it may be well supposed, that all the World who knows any thing about them, will have *so much* Charity for them, as to reckon that they have been acting with *something more* of common Honesty, than to train in *Multitudes* to a solemn *Testimony* against the Generation, upon *many Points* of *historical Fact*,—by the Bait of their being *no way bound* to make any *Conscience* of it before God, whether the whole Affair was *true* or *false*.

And as to what is here told, concerning *Multitudes* making Accession to these Judicatures, it is a Thing at *no rate believable*: As it would imply an *Absurdity*, somewhat of Kin to *Transubstantiation*, to believe that Multitudes could get *Clearness* to embrace a Testimony, as publick *Witnesses* for Christ *against* this Generation, with respect to many Grounds of the Lord's Controversy therewith, both old and late,—from the *Consideration* of their *not* being *bound* to make any *Conscience* of it before God, whether they were *true* or *false Witnesses* in the Matter.

And as it will not believe, that the Author could be *himself* when writing such a Story,—which was never thought nor wrought, nor heard tell of, till it broke out in *Fancy no Faith*: So the only Hair from which *Fancy* can be supposed to have spun such a Tether, can be no more than this, viz. As no *Accessions* were received by the Associate Judicatures, after Publication of the judicial *Testimony*, (unless there should be any Ground to except the Associate *Session* of *Dunfermline*), but in a Way of *Adherence* to that Testimony, upon Declaration of having *perused* and being *satisfied* with it,—without professing to retain any *Scruple* about the *historical Part* thereof, as to the *Truth* or *Falseness* of the Matter; so it was usual for People acceding, to express their Satisfaction with the *Testimony*,



stimony, in *modest Terms*, as being according to *their Capacity*: And the Associate Judicatures made no Difficulty of receiving Accessions *so* expressed, without supposing that *all* their People could have an *equal* Comprehension of it.

However, this Author tells us, that the *Exception* which he pretends these Judicatures used to make about the *historical Part*, was “for this good Reason, Because the Truth thereof depended upon fallible History.” But still no Person could, except in a Way of awful juggling with God and Man, profess to *engage* in a solemn *Confession* of or *Testimony* against publick Evils, without coming to have his *Conscience* free of *Scruple* or *Dubiety*, in the *mean Time*, about the *Truth* thereof: And as there is no *Impossibility* of his proving to be *mistaken* in some Particulars; when once that comes to be *suitably documented* unto him, his Ignorance and Mistake will *then* come in for new Matter of *Confession* and Humiliation. Moreover, as it is *one* Thing for our Histories now to be *fallible*, and *another* Thing to have them actually *failing*: So, if the Reason of the *second* Commandment, as to *visiting the Iniquity of the Fathers upon the Children*, can still be *binding* on our Consciences before God,—and if thus a *confessing* not only *our Iniquity*, but also *the Iniquity of our Fathers*, (Lev. xxvi. 40.), can be competent for and incumbent upon us, *now-a-days*; then even the Truth of *fallible* History, in some certain Degree of Evidence, must be *binding* on our *Consciences before God* in this Matter,—as it is only from *such* History that we *now-a-days* can gather any View of these Iniquities.

What then is the *Degree of Evidence* necessary here? Why, we have the LORD's express *Warrant*, (Deut. xvii. 6. 2 Cor. xiii. 1.), to let our Consciences rest satisfied about the Truth of a Fact, upon the Attestation of *two* or *three Witnesses*: Wherefore, unless we might turn *Scepticks* about the Iniquity of our Fathers, by waiting for *other Evidence* than is *possible*, and than the LORD *requires* us to let our Consciences *rest satisfied* with, in such a Case; there cannot be justly pretended any Lack of *necessary Evidence* unto all concerned, about the *Matters of Fact* laid down in the Testimony, as to the publick Evils therein testified against,—the *Truth* whereof we have, upon the Matter, *attested* unto us by many *thousands* of Witnesses; as they are suitably gathered from the most *publick History* and *Records of the Kingdom*, within these hundred Years backward,—so that the *Truth* of them has been lying openly before the World, *uncontroverted* by any known Person, to this very Day. UNCONTROVERTED: For amidst any Bustle that some are now making about Falshoods in the Testimony,

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mony, it is not, after all, any *Matters of Fact* properly, which they venture to controvert; they are only raising a new and most absurd *Controversy* about the *Meaning* of some Facts, the *Meaning* of some Acts of Parliament, which is not a Matter of *Fact*, but of *Judgment*. And particularly, what is alleged from the rescinding of the *Anniversary Act*, (which however they cannot pretend was rescinded in the *Settlement of Presbytery*—but afterwards), is, at Bottom, but a new and absurd *Controversy* about the *Meaning* of that Act: For, (beside what has been formerly observed, as to the *abstract* Manner of rescinding it), whatever Venom was spued out, in the *Preface* of that Act, against the late covenanted Reformation, as *already razed* by preceeding Acts; yet that Act itself, as to any thing *new* that was *enacted* and *done* thereby, could not, in any common Reckoning, be classed among the Acts *razing* the said covenanted Reformation, but among the Acts *rearing up* a new Fabrick in the place thereof.

But while our Author teaches (with such a monstrous Imputation thereof to the Associate Judicatures formerly) concerning the whole *historical Part* of the Testimony, that it is *no proper Part thereof, as a Testimony binding the Conscience before God, no binding Part of it at all*: There is a shameful and awful Stroke thus given, at the Root of all open *Confession* and Testimony, as to the *publick Evils* of the Day, in the whole Grounds of the Lord's Controversy with this Generation: And if once the *historical and condemnatory Part* thereof, as to what it *testifies against*, be trodden down; the doctrinal and *assertory Part* thereof, as to what it *testifies for*, could not justly stand in a Way of *Secession*: So that the *whole* of that Testimony, *as stated* in a Way of *Secession*, comes thus to be trodden down into a Mire of wild Mistakes.

And now, from all that has been said upon this Head, two Things are very evident:—In the first place, that it was no *chimerical Notion*, to look upon these Brethrens Defence of some Burgeſs-oaths against the Decision of Synod thereupon, as containing a *material Opposition* to the received Testimony; while their Prosecution of that Defence hath so soon brought out this Matter in *Form*. In the next place, that *themselves* have given an *ample*, though awful Testimony, unto the *Equity* of that Decision of Synod; as they have found no Way to *maintain* their Defence of the said Oath in opposition thereto, but by *running down* that Testimony.

The Synod having found, by their Act, April 10. 1747, "That they ought, in due Time, and as the Lord shall clear their Way, to consider upon calling them unto an Account for their Conduct foresaid, according to the Order and Discipline of the Lord's House; providing they shall not return to this Synod, in a Way of confessing the sinful Steps and Compliances which they have severally fallen into, as above:" Accordingly, having put a *Libel* into their Hands, for compearing at the Meeting in April last; they did then, after Part of a Diet spent in Prayer, resume the Case, as in p. 25. of the following *Proceedings*.

Sundry other Things were in view to have been touched upon in this *Introduction*: But seeing it hath already run out, so far beyond the Length first intended, as may perhaps need some Apology to the Rev. Synod; I shall conclude with adding, upon the next Page, that *Decision of Synod* which is afterwards so frequently made mention of,

*The Decision of the Associate Synod, at Edinburgh,  
April 9. 1746, concerning a religious Clause in  
some Burgeſs-oaths.*

THE Synod find, That a ſwearing the religious Clause of ſome Burgeſs-oaths, (*viz. Here I proteſt, before God and your Lordſhips, that I profeſs, and allow with my Heart, the true Religion preſently profeſſed within this Realm, and authoriſed by the Laws thereof. I ſhall abide thereat, and defend the ſame, to my Life's End; renouncing the Roman Religion called Papiſtry*), by any under their Inſpection, as the ſaid Clause comes neceſſarily in this Period to be uſed and applied, does not agree unto the preſent State and Circumſtances of the Teſtimony for Religion and Reformation which this Synod, with thoſe under their Inſpection, are maintaining; particularly, that it does not agree unto nor conſiſt with an entering into the Bond for renewing our ſolemn Covenants; and that therefore thoſe of the Seceſſion cannot further, with Safety of Conſcience, and without Sin, ſwear any Burgeſs-oath with the ſaid religious Clause, while Matters with reference to the Profeſſion and Settlement of Religion continue in ſuch Circumſtances as at preſent. Moreover, the Synod find, That Burgeſſes of the Seceſſion who are already concerned in any ſuch Oaths, ſhould be required, in order to their Admiſſion into the Bond for renewing our ſolemn Covenants, to attend Conference with their reſpective Sessions, for ſignifying a Satisfaction with the preſent Judgment of the Synod, and a Senſe of the Miſtake they have hitherto, through Inadvertency, been under concerning ſuch Burgeſs-oaths. And the Synod agree to ſiſt farther Procedure at this Juncture, in the whole Affair of the Burgeſs-oath.

E R R A T A.

*Introduction*, p. 18. l. 28. *read came.*

*Appendix*, p. 73. l. 18. *read on.*

*Proceedings*, p. 114. betwixt the Lines 30. & 31. *read, Eodem loco & die, poſt meridiem.*

In the *Acts and Proceedings*, &c. published laſt Year.

P. 64. l. 4. from the Foot, *read not only.*

P. 153. l. 14. *read Minority.*

P. 156. l. 1. *read ſtands not.*

N. B. Some have thought, that it was through Miſtake, that the Brethrens Reſolution upon their Queſtion has been called an *Affirmative*: But they are much miſtaken. For though it has a *negative Sound*, yet it is ſo abſurd as to be *affirmative* in all its *Senſe*; affirming that material Overthrow of the Decision 1746, as alſo that *Innovation* of the Reference, which were propoſed by their Queſtion.



PROCEEDINGS  
OF THE

ASSOCIATE SYNOD,

At EDINBURGH,

In August and November, 1747; and in January and April, 1748:

CONCERNING

Some *Ministers* who have separated from the said Synod.

*In the New Church of Bristo, at Edinburgh, the sixth Day of August, One thousand seven hundred and forty seven Years.*

THE ASSOCIATE SYNOD had laid before them, by their *Committee* for Overtures, an *Overture* for appointing a special Committee, to prepare the Draught of an Act for a publick Fast; as also an *Overture* about the Case of the *Ministers* and *Elders* presently in a Way of separating from this Synod, and others symbolising with them: Which being considered, the Synod agreed in appointing, that ——— meet as a *Committee* upon these Affairs, and bring in *Overtures* upon them against next *Sederunt*.

*Eodem loco & die, post meridiem.*

The *Committee* appointed to prepare the Draught of an Act for a publick Fast, brought in the same; which being several Times read over in Synod, with Amendments, was unanimously approven of, and they enact accordingly: The Tenor whereof follows, viz.

A

THE

**T**HE Synod taking under serious Consideration, the manifest Continuance of those *Grounds* and *Causes* of *Fasting* which have been condescended upon in the judicial *Act* and *Testimony*, and in the *Confession of Sins* prefixed to the *Bond* for renewing our *Covenants*: Considering also the awful and visible Abuse of the signal Judgments and Mercies which the Lord has been lately tryſting us with,—as being followed with a Growth of Security, Stupidity, Impenitency, and Profanity, in the Generation; together with a growing Formality and Upſittenneſs among thoſe of a diſtinguiſhing Profeſſion: And conſidering the melancholy Oppoſition which is manifeſtly taking place, on the Side of the *Ministers* and *Elders* in a Way of ſeparating from this Synod, and *others* ſymboliſing with them, unto the Management and Support of the Lord's Work and Cauſe among witneſſing Judicatures and Congregations: And conſidering the ſad Evidence which the Lord has been giving, by the late breaking Diſpenſation, of his Diſpleaſure with *all of us*, *Ministers* and *People*, for our unſuitable Behaviour in his Work and Way; as alſo the loud Call thereby given unto all, to ſearch and humble themſelves for their manifold Provocations: And conſidering the threatening Aſpect of Providence both at home and abroad:—Therefore, and for other obvious Cauſes, the Synod appoint, that *Thursday*, the twenty ſecond Day of *October* next, be obſerved as a Day of ſolemn Fasting and Humiliation, in their ſeveral Congregations, and in vacant Communities and Societies under their Inſpection.

And the Synod recommend and appoint, that, on the ſaid Day, Prayers and Supplications be offered up through our Lord Jeſus Chriſt;—that the Lord may graciously revive his Work in the Churches at home and abroad;—that he may awaken, humble, and reform all Ranks;—that he would prepare for what he may be about to do with the Generation;—that he  
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may support and advance his own Work among a witnessing Body, over-ruling present Darkneſs and Diſtractions for that End;—that he may graciously recover thoſe profeſſing Witneſſes who have lately gone out of his Way;—that he may graciously direct, lead, and countenance the Synod, as to what Steps and Procedure they ought to uſe toward the foreſaid Miniſters and Elders, and others ſymboliſing with them, in order to their Recovery, and the preventing others from falling into the ſame or like Deſection, and for the Support of the Lord's Work in oppoſition thereunto;—that he may eſtabliſh and encourage his People in this Day of Temptation;—that he may be gracious to our Sovereign King *GEORGE*, with the ſeveral Branches of his Family, and all Ranks of Perſons, awakening, convincing, and converting them unto himſelf and his Way;—and that the Lord may haſten the more glorious Advancement of his Kingdom among *Jews* and *Gentiles*;—and may continue his Goodneſs as to the Season of the Year.

Moreover, the Synod recommend, that, on the ſaid Occaſion, there be a thankful Acknowledgment of what Appearance the Lord has been making for his own Cauſe in this Hour of Temptation, and what Direction he has been graciously pleaſed to give to this Synod in that Matter.

And the Synod appoint, that this their Act be intimate by all the Miniſters of the Synod, from their Pulpits, on the Lord's Day immediately preceeding the ſaid Day of Fasting and Humiliation, after publick Worſhip in the Forenoon, with ſuitable Exhortations.

The *Committee* alſo brought in an *Overture* concerning the Caſe of the *Miniſters* and *Elders* preſently in a Way of ſeparating from this Synod, and *others* ſymboliſing with them; which being ſeveral Times read over in Synod, with Amendments, was unani-



unanimously approved of, and they *appoint* accordingly :  
The Tenor whereof follows, *viz.*

**T**HE Synod considering the manifest *Defection* from and *Opposition* unto the Lord's Cause and Testimony among their Hands, by the *Ministers* and *Elders* in a Way of separating from this Synod : And considering the manifest awful spreading of this Infection among *others*, Elders and People : And considering the loud Call hereby given, to advise about the *Remedy* of this Evil, by the Means of the Lord's Appointment, in exercising the *Discipline* of his House for that End :—Therefore the Synod *appoint*, that there be a Meeting of Synod, particularly for deliberating upon this Affair, at *Edinburgh*, upon *Tuesday* the third Day of *November* next. And they appoint, that *Tuesday*, the first Day of the Meeting, be observed *synodically*, in conjunction with such of the Associate Congregation of *Edinburgh* as can attend, in solemn *Fasting* and *Humiliation*, suitably to present Circumstances. — And further the Synod *appoint*, that ——— meet as a *Committee*, at *Edinburgh*, upon *Wednesday* the 28th Day of *October* next, to prepare an *Overture* for the Synod concerning this Matter.—*Extracted by*

J o. R E I D, Syn. Cls.

*In the New Church of Bristo, at Edinburgh, the fourth Day of November, One thousand seven hundred and forty seven Years.*

**Y**esterday was observed by the Synod, according to Appointment, in solemn *Fasting* and *Humiliation*, in conjunction with the Body of the Associate Congregation of *Edinburgh*. —

The Members of the *Committee* appointed to meet at *Edinburgh*, upon the 28th Day of *October* last, represented, that they got not met, through some intervening Hinderances.

In

In Mr. Gib's House, *eodem loco & die, post meridiem.*

The Synod had laid before them by their *Committee* for Overtures, an *Overture* as follows, *viz.* "That  
 " the Synod may essay the taking some Step, at this  
 " Time, according to the Rules of *Discipline*, in the  
 " Case of *all* or *some* of the *Ministers* and *Elders* who  
 " are persisting in their Way of separating from this  
 " Synod in *April* last:—As also, that the Synod  
 " may consider upon giving Direction unto inferior  
 " Judicatures, concerning the Case of *other Elders*  
 " and *People* who are now *symbolising* with the fore-  
 " said Ministers and Elders in their present Course."

——Which Overture having been twice read,—  
 and a Brother having been employed, as the Mouth  
 of the whole, in Prayer, for Light and Direction  
 therein, Conference ensued upon it; and after long  
 Reasoning upon it, and Prayer again by a Brother,  
 the Question was put, *Agree to this Overture, or,*  
*Not?* And it carried *Agree*. Wherefore the Synod  
*did and hereby do agree* to this Overture; but they  
 defer farther Consideration of it till the next *Sederunt*.

In Mr. Gib's House, *eodem loco*, November 5. 1747.

The Synod proceeded to the farther Consideration  
 of the Overture agreed unto at the last *Sederunt*.  
 After some Converse thereupon, a Brother was em-  
 ployed, as the Mouth of the whole, in Prayer, for  
 Light and Direction in this Affair. And after long  
 Reasoning upon the Case, and Prayer again by a Bro-  
 ther, the Question was put, *Essay the taking some*  
*Step, at this Time, according to the Rules of Disci-*  
*pline, with all, or some of the Ministers in a Way of*  
*separating from this Synod?* And it carried, *nemine*  
*contradicente*, *Essay the taking some Step, at this*  
*Time, according to the Rules of Discipline, with all*  
*the said Ministers:* Wherefore the Synod *did and*  
*hereby do agree* to essay the taking some Step, at this  
 Time,

Time, according to the Rules of Discipline, with all the said Ministers, viz. Mess. *Ebenezer Erskine* Minister at *Stirling*, *Ralph Erskine* Minister at *Dunfermline*, *James Fisher* Minister at *Glasgow*, *James Mair* Minister at *Linton*, *William Hutton* Minister at *Stow*, *David Horn* Minister at *Cambusnethen*, *Henry Erskine* Minister at *Falkirk*, *John M'Cara* Minister at *Burntshields*, *Andrew Black* Minister at *Cumbernald*, *James Johnston* Minister at *Dundee*, *John Smith* Minister at *Jedburgh*, and *David Telfer* Minister at *Monteith*.—After further Reasoning and Deliberation upon the Case, the Synod, without a Vote, appointed that—meet as a *Committee*, before they depart from this Place, with Power of adjourning themselves as they shall see Cause, to prepare the Draught of a *Libel*, for being put into the Hands of the foresaid Ministers; and to have the said Draught in readiness against the *fifth Day of January* next; unto which Time the Synod agree to adjourn.—

As to the *latter Branch* of the foresaid *Overture*, the Synod considering that they have not the *Minutes* of some of the *first Diets* of the Meeting of Synod in *April* last, and so have not distinct Knowledge of the Names of the *Elders* who were concerned in the sinful Steps and Compliances then taken; they do therefore *remit* and *recommend* unto the several *Presbyteries*, to inquire after these *Elders*, and to proceed against them according to the Rules of the Church: And with respect to *other Elders* and People symbolising with the foresaid Ministers and Elders, in the several Congregations of the Brethren of Synod, so as to be carrying on and concurring with *divisive Courses* in them;—the Synod recommend, that the respective *Sessions* and *Presbyteries* proceed against them, according to the Rules of the Church, as they shall see Cause.

*Extracted by*

J. O. REID, Syn. Cls.

*In*



*In Mr. Gib's House, at Edinburgh, the sixth Day of January, One thousand seven hundred and forty eight Years.*

THE Committee appointed by the Synod in November last, to prepare the Draught of a *Libel* for being put into the Hands of the Ministers in a Way of separating from this Synod, did produce a *Draught* of such a *Libel* accordingly:—Which having been read all over, and then Article by Article, with Amendments, and deliberately considered; after Prayer by a Brother for Light and Direction in the Matter, the Question was put, *Approve of the said Libel for being put into the Hands of the said Ministers, or, Not?* And it carried, *nemine contradicente, Approve*: Wherefore the Synod *did and hereby do approve* of the said *Libel*, for being put into the Hands of the Ministers in a Way of separating from this Synod;—the Tenor whereof follows, *viz.*

**LIBEL** against Mess. *Ebenezer Erskine* and others, Ministers, who have separated from the Associate Synod.

*At Edinburgh, the sixth Day of January, One thousand seven hundred and forty eight Years.*

WHEREAS *Protesting* against a Decision of a Court of Christ, of the last Resort for the Time, in a Case *plainly amounting to a necessary Stand* for the Testimony *already* among their Hands, without any *specious Appearance* of Reason for the said *Protesting*, in a Consistency with the *Holding* of that Testimony; as also, the giving in such *Protest*, with pretended *Reasons* thereof, in a Style and Strain most *indecent* and *undutiful*, and containing *false Charges* against the Judicature in *plain Matters of Fact*;—are Cases of heinous *Sin* and *Scandal*, as contrary to the *Word of God*, particularly Heb. iv. 14.—*Let us hold fast*

*fast our Profession.* Chap. x. 23. *Let us hold fast the Profession of our Faith without Wavering.* Rev. iii. 11. — *Hold fast that which thou hast, that no Man take thy Crown.* — Rom. xii. 10. — *In Honour preferring one another.* Chap. xiii. 7. *Render therefore to all their Dues ; — Honour to whom Honour.* 1 Cor. xiv. 32. *And the Spirits of the Prophets are subject to the Prophets.* Jam. iii. 13. *Who is a wise Man, and endued with Knowledge among you ? let him shew out of a good Conversation his Works with Meekness of Wisdom.* 1 Pet. iii. 15. — *Be ready always to give an Answer — with Meekness and Fear.* Chap. v. 5. — *All of you be subject one to another, and be clothed with Humility ; for God resisteth the Proud, and giveth Grace to the Humble.* — Acts xxvi. 25. *I — speak forth the Words of Truth and Soberness.* Eph. iv. 15. — *Speaking the Truth in Love.* 2 Pet. ii. 11. *Whereas Angels which are greater in Power and Might, bring not railing Accusation against them before the Lord :* As also to our *Westminster Confession of Faith*, Chap. 31. Art. 3. — “ Which Decrees and Determinations, “ if consonant to the Word of God, are to be recei- “ ved with Reverence and Submission ; not only for “ their Agreement with the Word, but also for the “ Power whereby they are made, as being an Ordi- “ nance of God appointed thereunto in his Word : ” And to our *Larger Catechism*, *Answers to Question* 108. “ The Duties required in the *second* Command- “ ment are, the — keeping pure and entire all such “ religious Worship and Ordinances as God hath in- “ stituted in his Word ; particularly, — swearing by “ the Name of God.” *Quest.* 109. “ The Sins for- “ bidden in the *second* Commandment are, all — hin- “ dering and opposing the Worship and Ordinances “ which God hath appointed.” *Q.* 113. “ The Sins “ forbidden in the *third* Commandment are, — any “ ways opposing of God’s Truth — and Ways ; or “ backsliding from it.” *Q.* 127. “ The Honour which “ Inferiors

“ Inferiors owe to their Superiors is, all due Reverence in Heart, Word, and Behaviour; —and Maintenance of their—Authority, according to—the Nature of their Places.” Q. 128. “ The Sins of Inferiors against their Superiors are, all—Contempt of—their Persons and Places, in their lawful Counsels, Commands, and Corrections.” Q. 131. “ The Duties of Equals are, to regard the Dignity and Worth of each other, in giving Honour to one before another.” Q. 144. “ The Duties required in the *ninth* Commandment are,—speaking the Truth, and only the Truth, in Matters of Judgment and Justice, and in all other Things whatsoever;—studying and practising of whatsoever Things are true, honest, lovely, and of good Report.” Q. 145. “ The Sins forbidden in the *ninth* Commandment are, all prejudicing the Truth,—especially in publick Judicature;—speaking Untruth;—speaking too—meanly of—others;—scornful Contempt.”

AND WHEREAS the venting and maintaining any Tenet of *mutual Forbearance*, directly authorising a *Toleration* of *known and acknowledged Sin*, is a heinous *Sin* and *Scandal*, as contrary to the *Word of God*, particularly Eph. v. 11. *And have no Fellowship with the unfruitful Works of Darknes, but rather reprove them.* 1 Theff. v. 22. *Abstain from all Appearance of Evil.* 1 Tim. vi. 3. *If any Man teach otherwise, and consent not to wholesome Words, even the Words of our Lord Jesus Christ, and to the Doctrine which is according to Godliness;—* Tit. ii. 7. *In all Things shewing thyself a Pattern of good Works; in Doctrine shewing Uncorruptness: As also to Confession, Chap. 20. Art 3. “ They who, upon Pretence of Christian Liberty, do practise any Sin, or cherish any Lust, do thereby destroy the End of Christian Liberty.” Art. 4.—“ And for their publishing of such Opinions, or maintaining of such Practices, as are contrary*



“ to the Light of Nature, or to the known Principles of Christianity, — concerning—Conversation ;  
 “ or to the Power of Godliness ; — they may lawfully be called to Account.” *Chap. 26. Art. 2.* “ Saints, by Profession, are bound to maintain an holy Fellowship and Communion in the Worship of God, and in performing such other spiritual Services as tend to their mutual Edification : ” As also to *Larger Catechism, Answers to Quest. 112.* “ The third Commandment requires, that the Name of God, his—Ordinances, — Oaths, — and whatsoever else there is whereby he makes himself known, be holily and reverently used, — by an holy Profession, and answerable Conversation.” *Q. 145.* “ The Sins forbidden in the ninth Commandment are, — undue Silence in a just Cause, and holding our Peace when Iniquity calleth for either a Reproof from ourselves, or Complaint to others.”

AND WHEREAS the pushing for, or concurring in and carrying on, a most *disorderly Procedure* in a Court of CHRIST, manifestly *injurious to Truth*, — as bringing it on to be *condemned in the Dark*, and of a special Tendency to *impose* on the Judgment of Members in the Case, and striking directly against the *lawful Constitution* of the Court, — is a heinous Sin and Scandal, as contrary to the *Word of God*, particularly 1 Cor. xiv. 40. *Let all Things be done decently, and in Order.* 2 Cor. xiii. 8. *For we can do nothing against the Truth, but for the Truth.* — Prov. ii. 3. 4. 5. *Yea, if thou criest after Knowledge, and liftest up thy Voice for Understanding ; if thou seekest her as Silver, and searchest for her as for hid Treasures : Then shalt thou understand the Fear of the Lord, and find the Knowledge of God.* John vii. 24. — *Judge righteous Judgment.* 2 Cor. iv. 2. *But have renounced the hidden Things of Dishonesty, not walking in Craftiness, nor handling the Word of God deceitfully, but by Manifestation of the Truth.* 1 Thess. ii. 3. *For our Exhortation*

*hortation was not of Deceit,—nor in Guile.*——

1 Cor xiv. 33. *For God is not the Author of Confusion, but of Peace, as in all Churches of the Saints :* As also to *Confession*, Chap. 20. Art. 4.—“ They who, up-

“ on Pretence of Christian Liberty, shall oppose any  
“ lawful Power, or the lawful Exercise of it, whe-  
“ ther it be civil or ecclesiastical, resist the Ordinance  
“ of God : And for—such Practices as—are destru-  
“ ctive to the external Peace and Order which Christ  
“ hath established in the Church, they may lawfully  
“ be called to Account.” Chap. 25. Art. 4.—“ Par-  
“ ticular Churches—are—less pure, according as—  
“ Ordinances[are] administred—less purely in them.”

Chap. 31. Art. 3. “ It belongeth to Synods and Coun-  
“ cils,—to set down Rules and Directions for the bet-  
“ ter ordering of the publick Worship of God, and  
“ Government of his Church :” And to *Larger Ca-*  
*techism*, Answers to Q. 108. “ The Duties required in

“ the *second* Commandment are,—keeping pure and  
“ entire all such—Ordinances as God hath instituted  
“ in his Word ; particularly,—Church Government  
“ and Discipline.” Q. 113. “ The Sins forbidden in  
“ the *third* Commandment are,—any ways opposing  
“ of God’s Truth—and Ways.” Q. 144. “ The  
“ Duties required in the *ninth* Commandment are,—  
“ appearing and standing for the Truth.” Q. 145.  
“ The Sins forbidden in the *ninth* Commandment  
“ are, all prejudicing the Truth,—especially in pu-  
“ blick Judicature ;—outfacing and overbearing the  
“ Truth ;—concealing the Truth ; undue Silence in  
“ a just Cause.”

AND WHEREAS the pushing for, or concurring  
in and pretending to carry, any Decisions in a Court  
of CHRIST, whereby a *pretended Power* is claimed  
and exercised, of *tolerating known and acknowledged*  
*Sin*, even though peculiarly heinous, as in the Matter  
of an *Oath*, *contradictory* to the whole present Testi-  
mony, and to the *Oath* of our Covenants ;—and

whereby the whole Testimony for Reformation as among the Hands of the Court is *dropt*, and Allowance given for a *Renunciation* thereof;—and whereby a sinful and dangerous *Innovation* is brought into the Church of CHRIST, viz. of subjecting the Decrees of Synods and Councils, in Controversies of Faith and Cases of Conscience, to the Consultation of inferior Judicatures, particularly *Kirk-sessions*;—is a heinous Sin and Scandal, as contrary to the Word of God, particularly Lev. xix. 17. *Thou shalt not hate thy Brother in thine heart; thou shalt in any ways rebuke thy Neighbour, and not suffer Sin upon him.* Psal. cxix. 126. *It is Time for thee, Lord, to work; for they have made void thy Law.* 1 Cor. v. 7. *Purge out therefore the old Leaven, that ye may be a new Lump.* Jude v. 23. *And others save with Fear, pulling them out of the Fire; hating even the Garment spotted by the Flesh.*——Prov. xxiii. 23. *Buy the Truth, and sell it not.* 1 Tim. iii. 15.—*The Church of the living God, the Pillar and Ground of the Truth.* Jude v. 3.—*Ye should earnestly contend for the Faith which was once delivered unto the Saints.*——1 Cor. xiv. 33. *For God is not the Author of Confusion, but of Peace, as in all Churches of the Saints.* Acts xvi. 4.—*They delivered them the Decrees for to keep, that were ordained of the Apostles and Elders which were at Jerusalem:* As also to *Confession*, Chap. 20. Art. 4.—“ The Powers which God hath ordained, and the  
“ Liberty which Christ hath purchased, are not intended by God to destroy, but mutually to uphold  
“ and preserve one another:—And for their publishing of such Opinions, or maintaining of such Practices, as are contrary to the Light of Nature, or  
“ to the known Principles of Christianity, whether concerning Faith, Worship, or Conversation; or  
“ to the Power of Godliness; or such erroneous Opinions or Practices as, either in their own Nature,  
“ or in the Manner of publishing or maintaining them,  
“ are



" are destructive to the external Peace and Order  
 " which Christ hath established in the Church; they  
 " may lawfully be called to Account, and proceeded  
 " against by the Censures of the Church." *Chap. 22.*  
*Art. 3.*—"Neither may any Man bind himself by  
 " Oath to any thing, but what is good and just."  
*Art. 4.* "An Oath is to be taken in the plain and  
 " common Sense of the Words, without Equivocati-  
 " on or mental Reservation." *Chap. 30. Art. 3.*  
 " Church-censures are necessary for the reclaiming  
 " and gaining of offending Brethren, for deterring  
 " of others from the like Offences, for purging out  
 " of that Leaven which might infect the whole Lump,  
 " for vindicating the Honour of Christ, and the holy  
 " Profession of the Gospel, and for preventing the  
 " Wrath of God."—*Art 4.* "For the better attain-  
 " ing of these Ends, the Officers of the Church are  
 " to proceed by Admonition, Suspension from the  
 " Sacrament of the Lord's Supper for a Season,  
 " and by Excommunication from the Church, ac-  
 " cording to the Nature of the Crime, and Demerit  
 " of the Person." *Chap. 31. Art. 3.* "It belongeth  
 " to Synods and Councils, ministerially to determine  
 " Controversies of Faith and Cases of Conscience:"  
 As also to *Larger Catechism, Answers to Quest. 108.*  
 " The Duties required in the *second* Commandment  
 " are,—keeping pure and entire all such religious  
 " Worship and Ordinances as God hath instituted in  
 " his Word; particularly,—Church Government and  
 " Discipline;—swearing by the Name of God, and  
 " vowing unto him." *Q. 109.* "The Sins forbid-  
 " den in the *second* Commandment are,—hindering  
 " and opposing the Worship and Ordinances which  
 " God hath appointed." *Q. 112.* "The *third* Com-  
 " mandment requires, that the Name of God, his—  
 " Ordinances,—Oaths, Vows, and whatsoever else  
 " there is whereby he makes himself known, be ho-  
 " noly and reverently used,—by an holy Profession,  
 " and

“ and answerable Conversation, to the Glory of God,  
 “ and the Good of ourselves and others.” Q. 113.  
 “ The Sins forbidden in the *third* Commandment  
 “ are, the not using of God’s Name as is required,  
 “ and the Abuse of it,—by—Perjury; all sinful—  
 “ Oaths,—and—violating of our Oaths,—if lawful.”

Q. 144. “ The Duties required in the *ninth* Command-  
 “ ment are,—appearing and standing for the Truth.”

Q. 145. “ The Sins forbidden in the *ninth* Command-  
 “ ment are, all prejudicing the Truth,—especially in  
 “ publick Judicature;—hiding, excusing, or extenu-  
 “ ating of Sins,—or not hindering what we can in o-  
 “ thers such Things as procure an ill Name.”

AND WHEREAS Ministers of the Gospel their  
 constituting themselves into a pretended Synod, in a  
 Way of *separating* from the *rightly constitute Synod*  
 to which they belonged, through *turning aside* from  
 the *lawful Constitution* thereof, and from the *received*  
*Testimony* still maintained by the said Synod,—thus  
 engaging in a *schismatical Constitution* for Support of  
 their *backsliding Course*,—is a heinous Sin and Scand-  
 al, as contrary to the Word of God, particularly Acts  
 ii. 42. *And they continued stedfastly in the Apostles*  
*Doctrine and Fellowship.* Rom. xvi. 17. *Now I be-*  
*seech you, Brethren, mark them which cause Divisions*  
*and Offences, contrary to the Doctrine which ye have*  
*learned; and avoid them.* 1 Cor. i. 10. *Now I be-*  
*seech you, Brethren, by the Name of our Lord Jesus*  
*Christ, that ye all speak the same Thing, and that*  
*there be no Divisions among you; but that ye be per-*  
*fectly joined together in the same Mind, and in the*  
*same Judgment.* Chap. xii. 25. *That there should be*  
*no Schism in the Body.* Eph. iv. 3. *Endeavouring to*  
*keep the Unity of the Spirit in the Bond of Peace.*  
 Jude v. 19. *These be they who separate themselves:* As  
 also to Confession, Chap. 20. Art. 4.—“ They who,  
 “ upon Pretence of Christian Liberty, shall oppose  
 “ any lawful power, or the lawful Exercise of it,  
 “ whether

“ whether it be civil or ecclesiastical, resist the Ordinance of God : And for—such—Practices as—are destructive to the external Peace and Order which Christ hath established in the Church, they may lawfully be called to Account :” And to *Larger Catechism, Answers to Quest. 108.* “ The Duties required in the *second* Commandment are,—keeping pure and entire all such—Ordinances as God hath instituted in his Word ; particularly,—Church Government and Discipline.” *Q. 109.* “ The Sins forbidden in the *second* Commandment are, all—hindering and opposing the—Ordinances which God hath appointed.”

AND WHEREAS those who *neglect* a suitable and seasonable Testimony against the open Offences of their Brethren, and, on the contrary, do *schismatically* embody themselves with these Brethren, in the Way of their continuing in and carrying on the said Offences,—do thereby make themselves *Art and Part* in these Offences ; — according to the *Word of God*, particularly *Exod. xxxii. 35.* *And the Lord plagued the People, because they made the Calf, which Aaron made.* *Lev. xix. 17.* *Thou shalt not hate thy Brother in thine Heart ; thou shalt in any ways rebuke thy Neighbour, and not suffer Sin upon him.* *Eph. v. 11.* *And have no Fellowship with the unfruitful Works of Darkness, but rather reprove them.* *1 Tim. v. 22.—* *Neither be Partaker of other Mens Sins ; keep thyself pure.* *2 John v. 11.* *For he that biddeth him God speed, is Partaker of his evil Deeds :* As also to *Confession, Chap. 26. Art. 1.* “ All Saints—are obliged to the Performance of such Duties, publick and private, as do conduce to their mutual Good.” *Art. 2.* “ Saints, by Profession, are bound to maintain an holy Fellowship and Communion in the Worship of God ; and in performing such other spiritual Services as tend to their mutual Edification :” And to *Larger Catechism, Answer to Quest. 145.* “ The Sins



“ Sins forbidden in the *ninth* Commandment are,—  
 “ holding our Peace when Iniquity calleth for either  
 “ a Reproof from ourselves, or Complaint to others ;  
 “ —or not hindering what we can in others such  
 “ Things as procure an ill Name.”

AND WHEREAS Ministers of the Gospel their framing and publishing *Pamphlets*, evidently *impugning* and *subverting* the *necessary Testimony* for Reformation which *themselves* have *solemnly espoused*, and of an evident Tendency to *break and seduce* the LORD'S People ;—as also their framing and publishing, in a pretended synodical Capacity into which they separate themselves, any *pretended Act*, evidently of the same Import and Tendency as above, and grossly *defaming* the *rightly constitute Synod* in their essaying to maintain the foreſaid Testimony,—yea audaciously pretending to *condemn and annul* their lawful Constitution and Proceedings ;—are Cases of heinous *Sin and Scandal*, as contrary to the *Word of God*, particularly Prov. xxiii. 23. *Buy the Truth, and sell it not.* Rom. xvi. 17. *Now I beseech you, Brethren, mark them which cause Divisions and Offences, contrary to the Doctrine which ye have learned ; and avoid them.* Gal. iii. 1. 3. 4. *O foolish Galatians, who hath bewitched you, that ye should not obey the Truth ? — Are ye so foolish ? having begun in the Spirit, are ye now made perfect by the Flesh ? Have ye suffered so many Things in vain ? if it be yet in vain.*——Jer. xxiii. 1. 22. *Wo be unto the Pastors that destroy and scatter the Sheep of my Pasture, saith the Lord.*—But if they had stood in my Counsel, and had caused my People to hear *my Words*, then they should have turned them from their evil Way, and from the Evil of their Doings. Ezek. xiii. 10.—*They have seduced my People, saying, Peace, and there was no Peace ; and one built up a Wall ; and lo, others daubed it with untempered Mortar.* Chap. xxxiv. 19. *And as for my Flock, they eat that which ye have trodden with your Feet, and they*

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they drink that which ye have fouled with your Feet. 2 Cor. x. 8.—Our Authority which the Lord hath given us for Edification, and not for your Destruction. Chap. xiii. 10.—The Power which the Lord hath given me to Edification, and not to Destruction. Ezek. xliv. 23. 24. And they shall teach my People the Difference between the Holy and Profane, and cause them to discern between the Unclean and the Clean: And in Controversy they shall stand in Judgment, and they shall judge it according to my Judgments; and they shall keep my Laws and my Statutes in mine Assemblies: —As also to Confession, Chap. 20. Art. 4. “They who, upon Pretence of Christian Liberty, shall oppose any lawful Power, or the lawful Exercise of it, whether it be civil or ecclesiastical, resist the Ordinance of God: And for their publishing of such Opinions, or maintaining of such Practices, —as, either in their own Nature, or in the Manner of publishing or maintaining them, are destructive to the external Peace and Order which Christ hath established in the Church, they may lawfully be called to Account, and proceeded against by the Censures of the Church.” And to *Larger Catechism*, Answers to *Quest.* 109. “The Sins forbidden in the *second* Commandment are, —hindering and opposing the —Ordinances which God hath appointed.” Q. 112. “The *third* Commandment requires, that the Name of God, his —Ordinances, the Word, —and whatsoever else there is whereby he makes himself known, be holily and reverently used in —Writing.” Q. 113. “The Sins forbidden in the *third* Commandment are, —any ways opposing of God’s Truth —and Ways.” Q. 144. “The Duties required in the *ninth* Commandment are, —appearing and standing for the Truth.” Q. 145. “The Sins forbidden in the *ninth* Commandment are, all prejudicing the Truth, —outfacing  
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“ and overbearing the Truth, passing unjust Sentence, calling Evil Good, and Good Evil.”

NEVERTHELESS it is of VERITY, that YOU the Reverend Mess. EBENEZER ERSKINE Minister at *Stirling*, RALPH ERSKINE Minister at *Dunfermline*, JAMES FISHER Minister at *Glasgow*, JAMES MAIR Minister at *Linton*, WILLIAM HUTTON Minister at *Stow*, DAVID HORN Minister at *Cambusnethen*, HENRY ERSKINE Minister at *Falkirk*, JOHN M'CARA Minister at *Burntshields*, ANDREW BLACK Minister at *Cumbernauld*, JAMES JOHNSTON Minister at *Dundee*, JOHN SMITH Minister at *Jedburgh*, and DAVID TELFER Minister at *Monteith*, ARE GUILTY of the above mentioned Matters of heinous Sin and Scandal.

IN SO FAR AS you the said Mess. Ebenezer Erskine, Ralph Erskine, James Fisher, William Hutton, David Horn, Henry Erskine, and John M'Cara, did respectively, at the Meetings of the Associate Synod in the Months of *April* and *September* in the Year One thousand seven hundred and forty six, protest against the Decision of the Associate Synod, on the ninth Day of that Month of *April*, concerning a religious Clause in some Burgefs-oaths; though the said Decision did plainly amount to a necessary Stand for the Testimony already among their Hands, without any specious Appearance of Reason for the said Protesting, in a Consistency with the Holding of that Testimony: And afterwards, before the Meeting of Synod in the Month of *April* in the Year One thousand seven hundred and forty seven, you did respectively give in your said *Protests*, with pretended Reasons thereof, subscribed by you respectively, in a Style and Strain most indecent and undutiful, and containing false Charges against the Synod in plain Matters of Fact.

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**FURTHER**, you the said Ministers last mentioned, in the *ninth* of your said pretended *Reasons*, which is subscribed or adopted by you all, have vented and do maintain a Tenet of *mutual Forbearance*, directly authorising a *Toleration* of known and acknowledged Sin.

**AND FURTHER**, you the said Mess. *Ebenezer Erskine, Ralph Erskine, James Fisher, William Hutton, David Horn, Henry Erskine, John M'Cara, Andrew Black, John Smith, and David Telfer*, did push for, or concur in and carry on, a most *disorderly Procedure* in a Court of **CHRIST**, as above expressed: Forasmuchas, at the foresaid Meeting of Synod in the Month of *April* in the Year One thousand seven hundred and forty seven, you pushed for, or concurred in and pretended to carry a **RESOLUTION** to proceed unto a Vote upon the following Question, *viz. Whether the Decision anent the religious Clause in some Burgeess-oaths, passed by this Synod in April 1746, shall now or afterwards be made a Term of Ministerial and Christian Communion, ay and until the making of the same to be so shall be referred by way of Overture unto Presbyteries and Kirk-sessions, in order to their giving their Judgment thereanent; that so there may in the mean time be a friendly Dealing among the Members of this Synod with one another, in a Way of Conference and Prayer, in order to their coming, thro' the Lord's Pity, to see Eye to Eye in the Matter of the said religious Clause; or, Not?* and to have this your Question voted, *before* proceeding to call for the *Reasons* of Protest against the said Decision, with the *Answers* thereunto, for having them read and considered;—though the reading and considering of these *Reasons* and *Answers* was altogether and peculiarly necessary, for a *fair opening* of the Cause; which disorderly Procedure was manifestly *injurious* to the Truth asserted in the Decision struck at by your said Question, as bringing it on to be *condemned in the*

*Dark*: As also, instead of suffering the Matter of *Truth* and *Duty*, as to the Decision struck at by your said Question, to be *fairly on the Field*,—you, in your said Question, did aim and urge a *secret* and *covert Thrust* at the same, under a deceitful Colour of due Tenderneſs and Regard to Brethren; which disorderly Procedure was of a ſpecial Tendency to *impoſe* on the Judgment of Members in the Caſe: And likewise, you the ſaid Meſſ. *Ebenezer Erſkine, Ralph Erſkine, James Fiſher, William Hutton, David Horn, Henry Erſkine, and John M'Cara*, did violently ſuſtain yourſelves *Judges* concerning your ſaid Question, though you were manifeſtly and immediately *Parties* in the Matter againſt the Synod, as being *Proteſters* againſt their *Decision*, that was *struck at* by your ſaid *Question* in your own *favours*; which disorderly Procedure did ſtrike directly againſt the *lawful Conſtitution* of the Court.

SICK LIKE, you the Miniſters laſt mentioned, together with you the ſaid Meſſ. *Andrew Black, John Smith, and David Telfer*, by your pushing for, or concurring in and pretending to carry the RESOLUTION *for a Vote* upon your ſaid Question, did *claim* a pretended *Power*; and you the ſaid Meſſ. *Ebenezer Erſkine, Ralph Erſkine, James Fiſher, David Horn, Henry Erſkine, John M'Cara, Andrew Black, and David Telfer*, by your pushing for, or concurring in and pretending to carry the RESOLUTION *upon your ſaid Question*, did *exerce* the ſaid pretended *Power*, of *tolerating* a *known* and *acknowledged Sin*, even though peculiarly heinous: Inaſmuchas, by the ſaid *Resolution*, you pretended to *tolerate* a *preſent Swearing* among *Seceders*, of the *religious Clause* of ſome Burgeſs-oaths,—which had been juſtly found, in the *Decision* of Synod about that Clause, *ſtill profeſſedly* by you *left ſtanding*, to be a *Swearing* in general *Contradiction* to the preſent *Testimony*, and to the *Oath* of the Bond for renewing our Covenants;—and hereby  
you

you did materially *drop* the said whole Testimony for Reformation as among the Hands of the Synod,—giving *Allowance*, at least for a Time, for a material *Renunciation* thereof by *Oath*: As also, by the said *Resolution*, you brought the foresaid sinful and dangerous *Innovation* into the Church of CHRIST; inasmuch as you did thereby pretend to *subject* the foresaid Decree of Synod, in a Controversy of Faith and Case of Conscience, to the Consultation of inferior Judicatures, particularly *Kirk-sessions*.

AND SICKLIKE, all of you the Ministers first above mentioned, have *constituted* yourselves, particularly at *Stirling*, upon one or other of the Days of the Month of *June* of the said Year One thousand seven hundred and forty seven, into a *pretended Synod*, in a Way of *separating* from the *rightly constitute Associate Synod* to which you belonged, through *turning aside* from the *lawful Constitution* thereof, and from the *received Testimony* still maintained by the said Synod;—thus engaging in a *schismatical Constitution* for Support of your foresaid *backsliding Course*: Which pretended *Constitution* is to be proven against you by *habile Witnesses*, and by *Letters* writ by you the said Mr. Ebenezer Erskine, in name of you all, dated at *Stirling*, *June 19. 1747*, addressed to Mess. *Thomas Mair* and *Adam Gib*.

MOREOVER, you the said Mess. *James Mair*, *William Hutton*, *Andrew Black*, *James Johnston*, *John Smith*, and *David Telfer*, beside the several Articles charged against you as above, have made yourselves, and ARE *Art and Part* in the Guilt of the whole *other Articles* charged as above against your Brethren foresaid: Inasmuch as you *neglected* a suitable and seasonable Testimony against their open Offences contained in these other Articles; And, on the contrary, you have *schismatically embodied* yourselves with these your Brethren, in the Way of their continuing in and carrying



rying on these their Offences, by your constituting with them into a pretended Synod as above.

AND, LASTLY, after giving in your foresaid *Protests*, with pretended *Reasons* thereof, and before the foresaid Meeting of Synod in the Month of *April* in the Year One thousand seven hundred and forty seven, you the said Mr. *Ralph Erskine* have framed and published a *Pamphlet*, intituled, *The Lawfulness of the religious Clause of some Burgeſs-oaths aſſerted, &c.* and you the said Meſſ. *James Fiſher* and *John M'Cara* have framed and published a *Pamphlet*, intituled, *A Review of a Pamphlet, intituled, "A ſerious Inquiry into the Burgeſs-oaths of Edinburgh, Perth, and "Glaſgow," &c.* And you the said Mr. *Ebenezer Erskine* have, ſince the ſaid Meeting of Synod, framed and published a *Pamphlet*, intituled, *The true State of the Queſtion upon which a Breach followed in the Aſſociate Synod, at Edinburgh, Thuſday April 9. 1747*; and you the said Mr. *Ralph Erskine* have alſo, ſince that Time, framed and published a *Pamphlet*, intituled, *Fancy no Faith; or, A ſeaſonable Admonition and Information to Seceders, againſt the ſinful Conſtitution of ſome Brethren into a pretended Judicatory, &c.* All which *Pamphlets* do evidently *impugn* and *ſubvert* the *neceſſary Teſtimony* for Reformation which *yourſelves* have ſolemnly eſpouſed,—and are of an evident Tendency to *break* and *ſeduc*e the LORD's People: And likewiſe, you the Miniſters all above mentioned, at a Meeting in *Stirling*, in the Month of *October*, One thouſand ſeven hundred and forty ſeven Years, in the pretended ſynodical Capacity into which you have ſeparated yourſelves, have framed and published a *pretended Aſſ*, evidently of the ſame Import and Tendency as above, and groſſly *deſaming* the *rightly conſtitute Synod* in their eſſaying to maintain the foresaid Teſtimony,—yea audaciouſly pretending to *condemn* and *annul* their lawful Conſtitution and Proceedings: And *all* of you are guilty

guilty in the Matter of the said *pretended Act*, notwithstanding that some of you may have been absent from the said Meeting; inasmuch as *none* of you do appear in making any suitable *Confession* of your former sinful Conjunction with the said pretended Synod, nor in taking up any suitable *Testimony* against their sinful Constitution and Proceedings in general, or the said *pretended Act* in particular.

ALL WHICH ARTICLES above expressed, or ANY of them, being found *relevant*, and *proven* against you, you ought to be proceeded against by the *Censures* of the LORD'S HOUSE, according to the Nature and Demerit of your said Offences and Scandal; as being necessary for *reclaiming* and *gaining* of you, for *detering* of others from the like Offences, for *purging out* of that Leaven which might infect the whole Lump; as also, for *vindicating* the Honour of CHRIST, and the *holy Profession* of his Truth, Cause and Testimony, in this Day of Apostasy and Provocation.

WHEREFORE the Synod DID and hereby do grant *Warrant* to, and *appoint* \_\_\_\_\_ their *Officers* in that Part, conjunctly and severally, to pass, and lawfully *summon* the said Mess. Ebenezer Erskine, Ralph Erskine, James Fisher, James Mair, William Hutton, David Horn, Henry Erskine, John M'Cara, Andrew Black, James Johnston, John Smith, and David Telfer, Ministers, personally or at their Dwelling-houses, to *compear* before the next Meeting of the *Associate Synod*, at Edinburgh, on the fifth Day of *April*, One thousand seven hundred and forty eight Years, within the New Church of *Bristo*, in the Hour of Cause, with Continuation of Days, to *answer* to the several *Articles* above charged against them, and to hear and see the same sufficiently *proven*; and being so proven, to hear and see the said Associate Synod.

nod give their *Judgment*, and *pass Sentence* in the said Matter, as they shall find just and necessary: With CERTIFICATION, if the said Defenders shall fail to compear, that the Associate Synod may proceed *as if they were present*, and censure them for such their *Contumacy* and *Contempt*.

Likewise the Synod grants *Warrant* to their Officers foresaid, to *summon* all Persons contained in a *List* subscribed by the Clerk of the Synod, to compear before the Synod, in the Time and at the Place above mentioned, with Continuation of Days, to bear true and faithful *Witnessing*, in so far as they know, and shall be inquired at them, upon the *fifth* general *Article* above expressed; with Certification as effects.

This, by Warrant and Appointment of the said Associate Synod, upon the sixth Day of *January*, One thousand seven hundred and forty eight Years, is given at *Edinburgh*, and subscribed by

J O. R E I D, *Syn. Cls.*

*List of Witnesses to be adduced for proving the fifth general Article of the above Libel.*

*James Clarkson* Surgeon in *Henshilwood*.

*John Clark* Merchant in *Airth*.

*Thomas Glas* Merchant in *St. Ninians*.

*Andrew Wingate* in *Corntoun* in the Parish of *Logie*.

J O. R E I D, *Syn. Cls.*

The Synod further appointed, that their *Clerk* make out *Draughts* of the above *Libel*, subscribed by him, to be given unto the *Officers* for being put into the Hands of the several *Ministers*: And that he make out the proper *Warrants*, subscribed by him, for the several *Officers*, to be returned with due *Indorsations*; —and that the whole *Affair* be speedily executed.

*Extracted by*

J O. R E I D, *Syn. Cls.*



*In the New Church of Bristo, at Edinburgh, the fifth Day of April, One thousand seven hundred and forty eight Years.*

THE Clerk of Synod reported, that he had, according to their Appointment, made out Draughts of the *Libel* against the Ministers separating from this Synod, and had given them respectively to the Officers for being put into the Hands of those Ministers, —together with the proper *Warrants* for each Officer; and that the said *Warrants*, with indorsed *Executions*, were now in his Hands, to be produced when the Synod should call for them. Hereupon the said *Warrants* and *Executions*, being called for and produced, were read:—One of the *Warrants* having indorsed *Executions* by——, Officer, bearing, that he left the *Libels*, with a *Summons* subjoined to each, subscribed by him, before two Witnesses respectively, on the 25th Day of *February* last, for Mess. *James Fisher* and *David Horn*,—on the 2d Day of *March* last, for Mr. *Andrew Black*,—and on the 3d Day of that Month, for Mr. *Henry Erskine*, at their *Dwellings*, with their *Domesticks*, to be given them, because he found them not at home; as also, that, on the 26th Day of *February* last, he delivered the *Libel*, with a *Summons* subjoined, subscribed by him, before two Witnesses, to Mr. *John M'Cara*, personally apprehended at his *Dwelling*; and likewise that, on the 24th Day of *February* last, he left with *Domesticks*, at the House where *James Clarkson*, one of the *Witnesses* on the fifth general Article of the *Libel*, usually resides, a written *Summons*, subscribed by him, before two Witnesses; and that, on the 3d Day of *March* last, he also delivered unto *John Clark*, another of these *Witnesses*, personally apprehended at *Falkirk*, a written *Summons*, subscribed by him, before two Witnesses: Another of the *Warrants* having indorsed *Executions* by——, Officer, bearing, that

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he delivered unto Mr. *Ralph Erskine* on the 1st Day of *March* last, and to Mr. *James Johnston* on the 3d Day of that Month, both personally apprehended at *Kinross*, the *Libels*, with a *Summons* subjoined to each, subscribed by him, before two Witnesses respectively: The next of the *Warrants* having indorsed *Executions* by ———, *Officer*, bearing, that he left the *Libels*, with a *Summons* subjoined to each, subscribed by him, before two Witnesses respectively, on the 2d Day of *March* last, for Mr. *John Smith*, at his Dwelling, with *Domesticks* there, to be given him, because he found him not at home; and on the 3d Day of that Month, for Mr. *William Hutton*, at his Dwelling, with *Domesticks* there, to be given him, because he was refused Access unto him: And another of the *Warrants* having an indorsed *Execution* by ———, *Officer*, bearing, that, on the 3d Day of *March* last, he left the *Libel*, with a *Summons* subjoined, subscribed by him, before two Witnesses, for Mr. *James Mair*, at his Dwelling, with *Domesticks* there, to be given him, because he was refused Access unto him: And the last of the *Warrants* having indorsed *Executions* by ———, *Officer*, bearing, that, on the 4th Day of *March* last, he delivered to Mess. *Ebenezer Erskine* and *David Telfer*, personally apprehended at their Dwellings, the *Libels*, with a *Summons* subjoined to each, subscribed by him, before two Witnesses respectively; as also that, on the same Day, he delivered severally, to *Thomas Glas* and *Andrew Wingate*, two of the *Witnesses* on the fifth general Article of the *Libel*, personally apprehended at their Dwellings, a written *Summons*, subscribed by him, before two Witnesses respectively:—All which *Indorsations* are subscribed by the several *Officers*, and *Witnesses*; and do severally bear, that, in all Points, they acted conform to their *Warrants*.

Hereupon the Synod, considering the said *Warrants* and indorsed *Executions*, did *unanimously find*,  
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that the *Libel*, with *Summons* thereupon, has been duly lodged with all those *Ministers*; and that the *Witnesses* on the fifth general Article of the *Libel*, have also been duly *summoned*. Then, by the Synod's Order, all the *Ministers* foresaid were severally called three times, at one of the most patent Doors of the Church; but none of them *compeared*. Next the *Witnesses* were severally called three times, at the Door; upon which they all *compeared*, and were ordered to attend till again called for.

The Synod delayed proceeding further, in the Case of the *Ministers* libelled, till next *Sederunt*.

*Eodem loco, April 6.*

The Synod delayed proceeding further, in the Case of the *Ministers* libelled, till next *Sederunt*.

In Mr. *Gib's* House, *eodem die, post meridiem*.

The Synod resumed the Case of the *Ministers* libelled, who were called Yesternight, but did not appear: And none of them having offered themselves this Day, and no Excuse being signified for the Absence of any of them; the Question was moved to be put, *Find all those Ministers contumacious, or, Not?* After Deliberation upon the Affair, and Prayer by a Brother for Light and Direction in it, the Question was put accordingly: And it carried, *nemine contradicente, Find contumacious*: Wherefore the Synod did and hereby do find all those *Ministers* contumacious. Next, the *Libel* against them was read all over; —and then it was read a second Time, *Article* by *Article*; the reading of each *Article* being introduced by reading the *whole Paragraph* of the *Preamble* corresponding thereunto. After reading of each, with some Consideration thereof, the Question was put, *Find this Article relevant, if proven, to infer Censure, or, Not?* And it carried *unanimously*, as to eve-



ry one of the seven Articles, *Find relevant, if proven, to infer Censure*; excepting that, as to the *last three*, one of the Brethren, viz. ———, who had but just then come up, and had not had Access before to be acquainted with the Libel, did not vote; and as to all the Articles, *James Clarkson*, Elder from the Associate Session of *Linlithgow*, having been cited as a *Witness* in the Affair, was not called to vote, as the Synod agreed also, that his Vote be not asked in the after Procedure thereon: Wherefore the Synod *did and hereby do find each of the seven Articles of Libel relevant, if proven, to infer Censure*. And they delayed proceeding farther in the Affair till next *Sederunt*,

*In the Church, April 7. 1748.*

When the Synod were resuming Consideration of the *Libel*, in order to the adducing of *Proof* upon it; *Mr. William Hutton*, one of the Ministers libelled, appeared at the Bar; and addressing himself to the *Moderator*, though not by that Designation, acknowledged, that he had got a *Libel* put into his Hands, and signified his Design of having appeared Yesternight, if the Meeting had been in publick: And he further represented, that he had a *Paper* to read in their Hearing, containing his Mind about the Affair; which he said he believed would be understood, if he was allowed to read the said Paper. Being asked, If that Paper was in the Form of *Answers* unto the Articles of the *Libel*, or not? He answered, That it was not properly so, but might contain some things extraneous thereto. After some Conference with him, and he still insisting for Access to read his Paper; it was then moved, That, before allowing him to do so in Synod, a *Committee* might be appointed to hear his Paper, converse with him, and report unto the Synod. This *Mr. Hutton* declined. Upon which it was observed

observed to him, That the Synod's allowing him now to read any Paper, if not in the Form of *Answers* unto the Articles of *Libel* exhibited against him, was a Thing they were no way obliged to do. But, after some farther Consideration of the Matter, and to prevent all Exception, the Synod agreed to hear Mr. *Hutton's* Paper as his Speech to them.

He then introduced himself with a short verbal *Declaration*, that he had retracted his *Protest* against the *Decision* of Synod, in *April* 1746, concerning a *religious Clause* of some Burgeſſs-oaths,—though he explained neither *how* nor *where*,—averring, that he was not now to be looked upon as one who had any Freedom to stand in opposition to that *Decision*; and that he had no Freedom to approve of the *Transmiſſion* in the second Resolution, or *Vote*, as he called it,—being of the Mind, that it ought to have been dropt for the Peace of the Church, besides other Objections he had against it, that he could tell any of the Ministers in private. He then read a long *Paper* in the Hearing of the Synod; wherein, notwithstanding his verbal Declaration, he *attacked* and *impugned* the *Constitution* and whole late *Proceedings* of the Synod, in a very *absolute* and *audacious Manner*, and in a very *ridiculing* and *insulting Strain*, telling them, that *from the Words of their Acts* he judged them: And, in all his Paper, he made no *Acknowledgment* of any of the *Sins* and *Scandals* on which he was *libelled*; but only advanced a Number of very groundless and unaccountable Charges and Accusations against the Synod, particularly as if they were Teachers of *new* and *erroneous Doctrine*, in an *alleged excluding* of *Ruling Elders* from being *Judges* in Controversies of Faith and Cases of Conscience. And he concluded with declaring, that he did not now appear before the Synod as a *Pannel*, or as answering the *Citation* given him upon the *Libel*; making a large Profession of his acting in all this, from a *Necessity* laid

laid upon his *Conscience* of using such Freedom with his Fathers and Brethren, *not to suffer Sin to lie upon them*; and declaring his Resolution of continuing in the full *Exercise* of his *Ministry*, as having received it from the LORD JESUS CHRIST, notwithstanding any *Sentences* that might be passed against him; averring, that as he said they could not be binding in Heaven, so they should by him be held *null and void*.—Upon which he withdrew.

After some Members had been employed, at considerable Length, in vindicating the *Constitution* and *Proceedings* of the Synod, against the bold and injurious Attack made upon the same by Mr. Hutton, returning an Answer to the Substance of these impertinent Charges advanced by him against the Synod; and after some Conference upon the Affair; a Motion was made, That the Question be put, *Find Mr. Hutton highly censurable, in respect of his present Conduct and Behaviour, or, Not?* Which Motion having been considered and agreed to, the Question was accordingly put; and it carried *unanimously*, (excepting that one, *viz.* ———, did not vote), *Find: Wherefore the Synod did and hereby do find Mr. Hutton highly censurable, in respect of his present Conduct and Behaviour.*

And they delayed proceeding unto the Proof of the Libel, till next *Sederunt*.

*Eodem loco & die, post meridiem.*

The Synod proceeded unto the *Proof* of the several Articles of the *Libel*.

The *first Article* being read, and Members being called to speak upon it, *Evidences* of it were proposed; which are, in Substance, as follows.

With respect to the *first Branch* of this Article, *viz.* That the *Ministers* therein mentioned “did respectively, at the Meetings of the *Affociate Synod* in  
“ *April*



“ *April and September 1746, protest against the De-*  
 “ *cision of the Associate Synod, on the ninth Day of*  
 “ *that Month of April, concerning a religious Clause*  
 “ *in some Burgefs-oaths, though the said Decision*  
 “ *did plainly amount to a necessary Stand for the Te-*  
 “ *stimony already among their Hands, without any*  
 “ *specious Appearance of Reason for the said Protest-*  
 “ *ing, in a Consistency with the Holding of that Te-*  
 “ *stimony :*” — As it is undeniably *notorious*, and ap-  
 pears, particularly from their subscribed Papers, con-  
 taining their *Protests*, with pretended *Reasons* there-  
 of, now produced in Synod, that these Ministers *pro-*  
*tested* respectively, at the Meetings mentioned, a-  
 gainst the said Decision of Synod ; so the *Decision* pro-  
 tested against did amount to a *Stand* for the Testimo-  
 ny *already* among the Hands of the Synod ; in regard  
 this Decision was expressly against an Oath, *consider-*  
*ed only* as not agreeing unto the said Testimony, nor  
 consisting with the Oath of the Bond for renewing  
 our solemn Covenants : Moreover, this *Stand* which  
 the Decision did amount to, was *necessary* ; consider-  
 ing the great Weight of the Case, in its own Nature ;  
 and that the Consideration thereof was then providen-  
 tially brought into the Synod’s Way ; and that an ad-  
 ministering the Oath of the Bond for renewing our  
 solemn Covenants, was a Work then in hand : And  
 further, the Decision did *plainly* amount to this *necef-*  
*sary Stand*, without any *specious Appearance* of Rea-  
 son for the protesting against it, in a Consistency with  
 the *Holding* of the foresaid Testimony ; because, on  
 the one hand, a present swearing of the religious  
 Clause in some Burgefs-oaths, *plainly* declares a gene-  
 ral *Approbation of* and *Satisfaction with* the present *Pro-*  
*fessing* and *Authorising* of the true Religion in this  
 Realm ; and yet, on the other hand, the said *Profes-*  
*sing* and *Authorising* are *plainly chargeable* with all  
 those publick *Defections* and *Corruptions*, in Church  
 and State, which are *witnessed against* in the judicial  
 Testimony,

Testimony, and in the Bond for renewing our Cove-  
nants.

With respect to the *second Branch* of this Article, viz. That the forefaid Ministers, “ afterwards, before the Meeting of Synod in April 1747, did respectively give in their faid *Protests*, with pretended *Reasons* thereof, subscribed by them respectively, “ in a Style and Strain most *indecent* and *undutiful* : ” —It being undeniably *notorious*, that those Ministers *did* respectively, before the Meeting mentioned, *give in* Papers subscribed by them, containing their *Protests*, with pretended *Reasons* thereof, which were now produced in Synod : —That the faid Papers are in *such* a Style and Strain as mentioned, appears from *many Passages* thereof, now condescended upon in Synod ; which Passages, as the faid Papers are printed along with the Synod’s *Acts and Proceedings*, do lie in pag. 27. 28. 58. 68. 69. 81. 83. 86. 87. 88. 93. 94. 95. 96. 97. 100. 101. 102. —114. 115. 116. 119. 128. 129. & 130.

With respect to the *third Branch* of this Article, viz. That their faid Papers are “ containing *false Charges* against the Synod, in *plain Matters of Fact* : ” —This appears from some *Passages* of these Papers, now condescended upon in Synod, —lying in p. 26. 95. & 96.

And these *Evidences* of the *first Article*, (which contains Matters of heinous *Sin* and *Scandal*, contrary to the Passages of the holy *Scripture*, *Confession* and *Catechism*, quoted in relation to the several Branches thereof), were reasoned upon, as *Proof* of the faid Article against the *Ministers* therein mentioned.

Then the Question was agreed to be put, *Find this Article proven, or, Not ?* And being accordingly put, it carried unanimously, (excepting that one, viz. ———, did not vote), *Find* : Wherefore the Synod *did* and *hereby do find* the *first Article* of Libel *proven*.

The

The *second Article* was next read, bearing, That the *Ministers* therein spoke of, “in the *ninth* of their “*said pretended Reasons*, which is subscribed or adopted by them all, have vented and do maintain a “*Tenet of mutual Forbearance*, directly authorising “a *Toleration of known and acknowledged Sin.*” Whereupon the *first two* Paragraphs of that *ninth Reason* were read all over: And *some Passages* of these were condescended upon, as *Evidences*: And these *Evidences* of the *second Article* (which contains Matter of heinous *Sin* and *Scandal*, contrary to the Passages of the holy *Scripture*, *Confession* and *Catechism*, quoted in relation thereunto) were reasoned upon, as *Proof* of the said *Article* against the *Ministers* therein spoke of.

Then the Question was agreed to be put, *Find this Article proven, or, Not?* And being accordingly put, it carried unanimously, *Find*: Wherefore the Synod did and hereby do find the *second Article* of Libel proven.

Thereafter, the *third Article* was read; importing, That the *Ministers* therein first mentioned “did push “for, or concur in, and carry on a most disorderly “*Procedure* in a Court of CHRIST, as above expressed: Forasmuch as, at the foresaid Meeting of Synod in *April 1747*, they pushed for, or concurred in, and pretended to carry a RESOLUTION to proceed unto a Vote upon the following Question, viz. “*Whether the Decision anent the religious Clause in “some Burgeſs-oaths, passed by this Synod in April “1746, shall now or afterwards be made a Term of “Ministerial and Christian Communion, ay and until “the making of the same to be so shall be referred by “way of Overture unto Presbyteries and Kirk-sessions, “in order to their giving their Judgment thereanent; “that so there may in the mean time be a friendly “Dealing among the Members of this Synod with one*  
E “another,



“ another, in a Way of Conference and Prayer, in or-  
 “ der to their coming, through the Lord’s Pity, to  
 “ see Eye to Eye in the Matter of the said religious  
 “ Clause; or, Not? and to have this their Question  
 “ voted, before proceeding to call for the Reasons of  
 “ Protest against the said Decision, with the Answers  
 “ thereunto, for having them read and considered,  
 “ —though the reading and considering of these Rea-  
 “ sons and Answers was altogether and peculiarly ne-  
 “ cessary, for a fair opening of the Cause; which dis-  
 “ orderly Procedure was manifestly injurious to the  
 “ Truth asserted in the Decision struck at by their  
 “ said Question, as bringing it on to be condemn-  
 “ ed in the Dark: As also, instead of suffering the  
 “ Matter of Truth and Duty, as to the Decision  
 “ struck at by their said Question, to be fairly on the  
 “ Field,—they, in their said Question, did aim and  
 “ urge a secret and covert Thrust at the same, under  
 “ a deceitful Colour of due Tendernefs and Regard  
 “ to Brethren; which disorderly Procedure was of a  
 “ special Tendency to impose on the Judgment of  
 “ Members in the Case: And likewise” the Ministers  
 last mentioned in the Article, “ did violently sustain  
 “ themselves Judges concerning their said Question,  
 “ though they were manifestly and immediately Par-  
 “ ties in the Matter against the Synod, as being Pro-  
 “ testers against the Decision of Synod, that was  
 “ struck at by their said Question in their own fa-  
 “ vours; which disorderly Procedure did strike di-  
 “ rectly against the lawful Constitution of the Court.”

With respect to the *Faëts* charged in this Article,  
 viz. That the Ministers therein first mentioned, at  
 the Meeting of Synod in April 1747, pushed for, or  
 concurred in, and pretended to carry a Resolution to  
 proceed unto a Vote upon the Question mentioned,—and  
 to have this their Question voted before proceeding to  
 call for the Reasons of Protest, with the Answers  
 thereunto, for having them read and considered;—as  
 also,

also, that the *Ministers* therein *last* mentioned, who were *Protesters* against the Decision struck at by their said Question, *did violently* (*viz.* over the Belly of Reasoning and Protestation to the contrary) *sustain themselves Judges concerning their said Question*: These were considered as *Facts* of undeniable *Notoriety*, having been transacted, not in a Corner, but publickly, in face of Synod, before many Witnesses.

With respect to the *Construction* of these Facts, in the Article, *viz.* of being a *most disorderly Procedure in a Court of Christ*, manifestly *injurious to the Truth asserted in the Decision struck at by their said Question*,—as bringing it on to be condemned in the Dark, and of a special Tendency to impose on the Judgment of Members in the Case, and striking directly against the lawful Constitution of the Court: The obvious Nature of their Question, with other Grounds expressed in the Article itself, were considered as *Evidences* hereof: And these *Evidences* of the *third Article* (which contains Matter of heinous Sin and Scandal, contrary to the Passages of the holy Scripture, Confession and Catechism, quoted in relation to the several Parts thereof) were reasoned upon, for *Proof* of the said Article, as complexly laid, against the *Ministers* therein mentioned.

Upon which, the Question was agreed to be put, *Find this Article proven, or, Not?* And being accordingly put, it carried unanimously, *Find*: Wherefore the Synod *did and hereby do find the third Article of Libel proven*.

Next, the *fourth Article* was read; which imports, That the *Ministers* therein *first* spoke of and mentioned, “by their pushing for, or concurring in, and “pretending to carry the *Resolution for a Vote* upon “their said Question, *did CLAIM a pretended Power*,” and that the *Ministers next* mentioned, “by their “pushing for, or concurring in, and pretending to

“ carry the *Resolution upon their said Question*, did  
 “ EXERCE the said pretended *Power*, of *tolera-*  
 “ *ting a known and acknowledged Sin*, even though  
 “ peculiarly heinous: Inasmuchas, by the said *Reso-*  
 “ *lution*, they pretended to *tolerate a present Swear-*  
 “ *ing among Seceders*, of the *religious Clause* of some  
 “ *Burgess-oaths*,—which had been justly found, in  
 “ the *Decision* of Synod about that *Clause*, *still pro-*  
 “ *fessedly by them left standing*, to be a *Swearing* in  
 “ general *Contradiction* to the present *Testimony*,  
 “ and to the *Oath* of the Bond for renewing our Co-  
 “ *venants*;—and hereby they did materially *drop*  
 “ the said whole *Testimony* for Reformation as a-  
 “ mong the *Hands* of the Synod,—giving *Allowance*,  
 “ at least for a *Time*, for a material *Renunciation*  
 “ thereof by *Oath*: As also, by the said *Resolution*,  
 “ they brought the foresaid sinful and dangerous *In-*  
 “ *novation* into the Church of CHRIST; inasmuchas  
 “ they did thereby pretend to *subject* the foresaid *De-*  
 “ *cree of Synod*, in a Controversy of Faith and Case  
 “ of Conscience, to the Consultation of inferior Ju-  
 “ *dicatures*, particularly *Kirk-sessions*.”

With respect to the *Facts* charged in this Article,  
 one of them, *viz.* That the Ministers therein first  
 spoke of and mentioned, *did* (*viz.* at the Meeting of  
 Synod expressed in the *third Article*) *push for*, or *con-*  
*cur in*, and pretend to carry the *Resolution for a Vote*  
*upon their said Question*,—having been so considered  
 on the *third Article*: As to the *other* of them, *viz.*  
 That the Ministers next mentioned, *did* (*viz.* at the  
 same Meeting) *push for*, or *concur in*, and pretend to  
 carry the *Resolution upon their said Question*, (*viz.*  
 “ That the *Decision* anent the religious *Clause* in  
 “ some *Burgess-oaths*, passed by this Synod in *April*  
 “ 1746, shall not now or afterwards be made a *Term*  
 “ of Ministerial and Christian *Communion*, ay and  
 “ until, &c.),” this was likewise considered as a *Fact*  
 of undeniable *Notoriety*,—having been transacted,  
 not



not in a Corner, but publickly, in face of Synod, before many Witnesses.

With respect to the special *Qualification* of these their *Facts*, viz. That the foresaid *Decision* of Synod about the religious Clause of some Burgeses-oaths, was *still professedly by them left standing*;—it was observed, for *Evidence* of this, that their *Resolution for a Vote* upon their Question, did directly *exclude* the *Reasons of Protest* against the said *Decision*, from being previously read and considered; and that their *Resolution upon the Question*, directly bears a *professing* to leave the said *Decision still in being*, as a *Decision* of Synod: But further, that as the said *Decision* is well known to have been still left *standing in the Minutes*, without any Sentence *professedly* reversing the same; so it is *notorious*, that those Ministers did not then crave any *professed* reversing thereof,—yea that, on the contrary, they positively *declined* doing so,—as is explained in the *Act* of Synod, April 16. 1747, *condemning the second Resolution*.

With respect to the *Construction* of these Facts so qualified, in the Article, viz. That, by the Resolution for a Vote upon their said Question, *there was claimed*, and, by the Resolution upon their said Question, *there was also exercised a pretended Power of tolerating a known and acknowledged Sin, even though peculiarly heinous*, as in the Matter specified, of a *Swearing in general Contradiction to the present Testimony, and to the Oath of the Bond for renewing our Covenants*; and that, by this Resolution upon their Question, *the said whole Testimony for Reformation as among the Hands of the Synod, was materially dropt*,—in giving Allowance, at least for a Time, for a material Renunciation thereof by Oath; and that thereby also, *the sinful and dangerous Innovation* mentioned, was brought into the Church of CHRIST:—The obvious Nature of their Question, and of their Resolutions

ons concerning it, so qualified, were considered as *Evidences* hereof.

And these *Evidences* of the *fourth Article* (which contains Matter of heinous *Sin* and *Scandal*, contrary to the Passages of the holy *Scripture*, *Confession* and *Catechism*, quoted in relation to the several Parts thereof) were reasoned upon, for *Proof* of the said Article, as complexly laid, against the *Ministers* therein spoke of and mentioned.

Whereupon the Question was agreed to be put, *Find this Article proven, or, Not?* And being accordingly put, it carried unanimously, (excepting that one, viz. ———, did not vote), *Find*: Wherefore the Synod *did* and *hereby do find* the *fourth Article* of *Libel proven*.

And then, the *fifth Article* was read; which bears, That the *Ministers* therein spoke of, “ have constituted themselves, particularly at *Stirling*, upon one “ or other of the Days of *June 1747*, into a pretended “ *Synod*, in a Way of separating from the right- “ ly constitute *Associate Synod* to which they belonged, through turning aside from the lawful Constitution thereof, and from the received Testimony “ still maintained by the said Synod;—thus engaging “ in a schismatical Constitution for Support of their “ fore said backsliding Course: Which pretended Constitution was to be proven against them by habile “ Witnesses, and by Letters” condescended upon in the Article.

With respect to the *Fact* charged in this Article, —it was considered as of undeniable *Notoriety*, that the *Generality*, at least, of the Ministers libelled did constitute themselves into a pretended *Synod*, at *Stirling*, within the Time mentioned: And it being represented, that the *Letters* mentioned, which it was told were forgot to be brought up, could only be for Proof of the Matter as to the said *Generality*, the Synod

nod therefore dispensed with them.—But, as to the *Proof* that *all* those Ministers were in the said Meeting, it was observed, that, besides some Notoriety of the Matter, *so much* is actually granted in a Remark upon this Article by Mess. *Ebenezer Erskine* and *James Fisher*, in their *Preface* to a late Pamphlet, intituled, *Observations upon the Conduct of the separating Brethren*, as the said *Preface* bears its having been wrote by these two Brethren; and therefore a Motion was made, That the Synod might be satisfied, for farther Evidence, with the *Declarations* of the *Witnesses* upon this Point: Which Motion, being considered, was agreed to. Hereupon the *Witnesses* being called, appeared: And being solemnly charged to declare the Truth, and nothing but the Truth, in so far as they knew and should be inquired at them in this Matter; and being accordingly interrogated one by one,—If, at *Stirling*, upon one or other of the Days of *June* last Year, they were *Witnesses* to the Ministers libelled their being constituted as a Synod, and *saw all those Ministers present* therein? *James Clarkson*, Surgeon in *Henshilwood*, declared, That, upon the 16th and 17th Days of *June* last Year, at *Stirling*, he was witness to the Ministers libelled their being constituted as a Synod, with a Moderator and Clerk; and remembers very well, that he *saw all those Ministers present* therein: And *John Clark*, Merchant in *Airth*, declared *conform hereto*, except that he thinks it was upon the 17th and 18th Days of *June* that he was witness, and saw accordingly.—But the other two *Witnesses* declared, That having been but for a short Time there, they could not *exactly* inform *how many* and *who* of those Ministers were present.

With respect to the *Construction* of this *Fact* in the Article,—it was observed, that the said *Ministers* their *constituting* of themselves into the said *pretended Synod*, (being therefore *but* a pretended one), behaved to be a *schismatical Constitution* for Support of their  
*foresaid*



*foresaid backsliding Course*, or of their backsliding Course expressed in the *foregoing Articles*; — because (as is expressed in this Article) it was in a Way of *separating* from the *rightly constitute Associate Synod* to which they belonged; and which *Separation* they made, through *turning aside* from the *lawful Constitution* of the Associate Synod, as is found in the *third Article*, — and through *turning aside* from the *received Testimony* still maintained by the said Synod, as is found in the *fourth Article*.

But, for more particular *Evidence* of this *Separation*, there was a referring to what had been reasoned concerning the same, at the former *Sederunt*, in reply to Mr. *Hutton's Paper*: Which was in Substance, — That the said *Ministers* did very evidently *turn aside* from the *lawful Constitution* of the Associate Synod, and from the *received Testimony* still maintained by them; considering the *Reference* made and the *Toleration* given by those Ministers, in their *second Resolution*; and considering that this was managed in the Way of *excluding a fair opening* of the Cause, by their *first Resolution*; and considering that, for these Purposes, so many of them who were directly *Parties*, did violently sustain themselves *Judges* in the Affair of these Resolutions; and considering that, after all, the *second Resolution* which they pretended to carry, was voted but by *nine Ministers* and *eleven Elders*, while *thirteen Ministers* and *ten Elders* were standing under the Banner of a solemn *Protestation* against their Procedure herein: — Seeing thus, in voting their *second Resolution*, they evidently completed a sad *Departure* from the *lawful Constitution* of the Associate Synod; so as any Constitution they went over unto, was a *new and till then unheard of Constitution* of their own; — viz. a *Constitution importing*, upon the Matter, That the *Decrees of Synods and Councils*, in Controversies of Faith and Cases of Conscience, may be *subjected* to the Consultation of inferior

inferior Judicatures, particularly *Kirk-sessions*; and that *Seceders* may be *judicially tolerated* to swear an Oath which is, at the *same* time, *judicially declared* to be *contradictory* to the whole present Testimony, and to the *Oath* of the Bond for renewing our Covenants; and that a *Decision* may be made in a *Cause*, before allowing it to be *fairly opened*; and that *Parties* may violently sustain themselves *Judges* in their own *Cause*; and that a *Minority* may carry a *Decision*, over the *Belly* of the *Majority* of acting Members in the Court.

The above *Evidences* of the *fifth Article* (which contains Matter of heinous *Sin* and *Scandal*, contrary to the Passages of the holy *Scripture*, *Confession* and *Catechism*, quoted in relation thereto) were considered for *Proof* of the said Article, as complexly laid, against the *Ministers* therein spoke of.

Thereafter, the Question was agreed to be put, *Find this Article proven, or, Not?* And being accordingly put, it carried unanimously *Find*: Wherefore the Synod *did* and *hereby do find* the *fifth Article* of Libel *proven*.

And they delayed farther Procedure in this Affair, till next *Sederunt*.

*Eodem loco*, April 8. 1748.

The Synod adjourned unto *Tuesday* next Week, in this Place; deferring farther Procedure in the Affair of the *Libel* till that Time: And they appointed, that a considerable Time in the former Part of the said Day, be publickly observed by them in *Fasting* and *Prayer*, with *Praise*, as usual,—supplicating a Throne of Grace for the LORD's *sending out* his *Light* and his *Truth*, to lead them in the weighty and important Work among their Hands.

F

*Eodem*

*Eodem loco, April 12. 1748, post meridiem.*

A considerable Part of this Day was spent by the Synod in *Fasting and Prayer*, according to Appointment at last *Sederunt*.

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The Synod proceeded to discussing the *Proof* of the remaining Articles of Libel. Hereupon the *sixth Article* was read; which contains a Charge, That the *Ministers* therein mentioned, “beside the several Articles” (*viz.* whether general or particular) “charged against them as above, have made themselves, and are ART and PART in the Guilt of the whole other Articles charged as above against their Brethren foresaid.”

As to the *Grounds* of this Charge expressed in the Article, *viz.* That these Ministers “neglected a suitable and seasonable Testimony against the open Offences of their Brethren, contained in these other Articles; and, on the contrary, have *schismatically embodied* themselves with these their Brethren, in the Way of their continuing in and carrying on these their Offences:”—It was observed for *Evidence* hereof, that it is *notorious*, that the *Ministers* mentioned *did not* any way concur with the Testimony given and carried on against these other open Offences of their Brethren, at the Meeting of Synod in *April 1747*,—and that they have not *since* taken up any such Testimony; but that (as is expressed in *this Article*, and hath been found *proven* on the *fifth Article*) they have *constituted with them into a pretended Synod*, as above; which *Constituting* is evidently a *schismatical embodying* themselves with these their Brethren, in the Way of their continuing in and carrying on these their Offences,—according as hath been found *proven* on the *fifth Article*.

And these *Evidences* of the *Grounds* expressed in the *sixth Article* (whereby they have made themselves,



themselves, and are *Art* and *Part* as above,—according to the Passages of the holy *Scripture*, *Confession* and *Catechism*, quoted in relation to this Article) were considered for *Proof* of the said Article, against the *Ministers* therein mentioned.

Upon which the Question was agreed to be put, *Find this Article proven, or, Not?* And being accordingly put, it carried unanimously *Find*: Wherefore the Synod *did* and *hereby do find* the *sixth Article* of Libel *proven*.

Then the *seventh* and last *Article* was read, which bears a Charge concerning some *Pamphlets* and a *pretended Act*, therein mentioned.

After some Reasoning upon the Point of *Fact*, as to the *Pamphlets* mentioned their having been *framed* and *published* by the *Ministers* respectively charged therewith in this Article; a Motion was made, That, in regard there is not any Evidence produced of Mr. *M'Cara* having been *joint* Framer and Publisher with Mr. *Fisher*, of the Pamphlet, intitled, *A Review*, &c. further than the *single* Testimony of Mr. *Fisher*, in the last Page of that Pamphlet, of his having been obliged to Mr. *M'Cara* for *several Thoughts and Quotations therein*,—that therefore the Synod may *dismiss* this Part of the Article as to *him*: Which Motion having been considered, was agreed to; and the Synod *dismiss* accordingly.

But it was observed, as sufficient for *proving* the remaining Point of *Fact* foresaid,—that as it is well known, that the several *Pamphlets* mentioned were framed and published at the *Times* respectively mentioned, and are *commonly reputed* to have been *framed* and *published* by the *other Ministers* respectively charged therewith; so it is *notorious*, that *all* of them, except one, intitled, *The Lawfulness*, &c. have been for a considerable Time vended through the Country, with the *Names* of those *Ministers* either

*prefixed or subjoined, as Authors thereof respectively, without any open Contradiction by them: And as to the foresaid Pamphlet, intitled, The Lawfulness, &c. Mr. Ralph Erskine hath openly acknowledged himself to have been the Framers and Publisher thereof, in his other Pamphlet, intitled, Fancy no Faith, &c. p. 63.*

With respect to the *Charge* on all these Pamphlets mentioned in the first Part of the Article, *viz.* That they do “evidently *impugn and subvert the necessary* “*Testimony* for Reformation which *themselves* (*viz.* “those Ministers) *have solemnly espoused*, — and are “of an evident Tendency to *break and seduce the* “*LORD’S People:*” For *Evidences* hereof, several *Passages* in each of those Pamphlets were condescended upon, — lying in several Pages thereof, as follows, *viz. The Lawfulness, &c. p. 9. 10. 22. 26. 50. 51. 70. 80. 82. & 85. A Review, &c. p. 6. 17. & 76. Fancy no Faith, &c. p. 5. 6. 7. 15. 19. 20. 21. 22. 23. 24. 25. 26. & 27. The true State, &c. p. 6. 7. & 10.*

And these *Evidences* of the *seventh Article*, as to the first Part thereof, concerning the Pamphlets mentioned, (which contains Matters of heinous *Sin and Scandal*, contrary to the Passages of the holy *Scripture, Confession, and Catechism*, quoted in relation thereto), were reasoned upon, for *Proof of that Part* of the Article, as complexly laid, against the *Ministers* therein mentioned respectively, — except as to Mr. *M’Cara*.

And then the Question was agreed to be put, *Find this Article, in the first Part of it concerning the Pamphlets mentioned, except as to Mr. M’Cara, proven, or, Not?* And being accordingly put, it carried unanimously, (excepting that one, *viz.* —, who had just then come in, did not vote), *Find: Wherefore the Synod did and hereby do find the seventh Article of Libel, in the first Part thereof concerning the Pamphlets therein mentioned,—proven; except as to Mr. M’Cara having been joint Framers and Publisher* with

with Mr. Fisher, of the Pamphlet, intituled, *A Review, &c.*

And the Synod delayed entering upon the Proof of the *latter Part* of the Article, concerning the *pretended Act*, till next Sederunt.

*Eodem loco*, April 13. 1748.

The Synod returned to the *Proof* of the *seventh* and last *Article* of Libel, as to the *latter Part* thereof, concerning the *pretended Act* therein mentioned: Which Part of the Article, with what of the foregoing Part it relates to, was read.

With respect to the general *Fact* here charged, *viz.* That the *Ministers* libelled, at the Meeting mentioned in the Article, *have framed and published the pretended Act* mentioned:—It was observed, as sufficient for *Proof* hereof, that it is a Matter of common *Notoriety*, that the pretended *Associate Synod*, met at *Stirling*, *October 29. 1747*, whose the said pretended Act is, as in the Title thereof,—was a Meeting of the *Ministers* libelled; and that the said *pretended Act* is well known to be *commonly reputed theirs*,—having been vended through the Country *as such*, for several Months, without any open Contradiction by them;—yea that it is openly acknowledged as of *their framing and publishing*, by Mess. *Ebenezer Erskine* and *James Fisher*, in their before mentioned *Preface* to the Pamphlet, intituled, *Observations, &c. p. 15.*

With respect to the *Particularity* of the *Fact* charged, *viz.* That *ALL the Ministers libelled are guilty in the Matter of the said pretended Act, notwithstanding that some of them may have been absent from the said Meeting*:—It was observed, as sufficient for *Proof* hereof, and also as a Matter of undeniable *Notoriety*,—that, as is expressed in the Article, “*none of them do appear in making any suitable Confession of their former sinful Conjunction with the said pretended*”  
“*Synod,*



“ Synod, nor in taking up any suitable *Testimony* against their sinful Constitution and Proceedings in general, or the said *pretended Act* in particular.”

With respect to the *Charge* on the said *pretended Act*, viz. That it is “ evidently of the *same* Import and Tendency as above,” (viz. as the fore said Pamphlets), — “ and grossly *defaming* the *rightly constituted Synod* in their essaying to maintain the fore said Testimony, yea audaciously pretending to *condemn* and *annul* their lawful Constitution and Proceedings:”—For *Evidences* hereof, several *Passages* of the said *pretended Act* were condescended upon,—lying in p. 6. 8. 10. 12. 15. 22. 33. & 34.—And these *Evidences* of the *seventh* Article, as to the fore said *latter Part* thereof, (which contains Matter of heinous *Sin* and *Scandal*, contrary to the *Passages* of the holy *Scripture*, *Confession* and *Catechism*, quoted in relation thereto), were reasoned upon, for *Proof* of *that Part* of the Article, as complexly laid, against *all* the *Ministers* libelled.

Whereupon the Question was agreed to be put, *Find this Article, in the fore said latter Part thereof, proven, or, Not?* And being accordingly put, it carried unanimously *Find*: Wherefore the Synod *did* and *hereby do find* the *seventh Article* of Libel, in the *latter Part* thereof, concerning the *pretended Act* therein mentioned,—*proven*.

And the Synod delayed farther Procedure, concerning the *Ministers* libelled, till next *Sederunt*.

In Mr. Gib's House, *eodem die*, *post meridiem*.

The Synod had laid before them, by their *Committee* for Overtures, an *Overture* concerning the Case of the *Ministers* libelled; which having been several times read, deliberately considered and weighed,—after Prayer by a Brother for Light and Direction in the Matter, the Question was put, *Approve of this Overture, or, Not?* And it carried, *nemine contradicente*,

*rente, Approve*: Wherefore the Synod *did* and *hereby do approve* of the said *Overture*, and *resolve* accordingly: The Tenor whereof follows, *viz.*

**T**HE Synod considering, that they have, in a *Sederunt* on the 6th of this Month, found all the *Articles of Libel* against Mess. *Ebenezer Erskine* and others, *Ministers*, who have separated from the Associate Synod, *relevant*, if proven, to infer *Censure*; and that they have also, in several *Sederunts* since, found the said *Articles of Libel* sufficiently *proven*, except as to Mr. *M'Cara's* being joint *Framer* and *Publisher* with Mr. *Fisher*, of the Pamphlet, intitled, *A Review*, &c. And having deliberately reasoned upon, considered and weighed the Case of the said *Ministers*, as found *guilty* of the several *Articles* of heinous *Sin* and *Scandal* charged against them in the said *Libel*, *viz.* THAT “ Mess. *Ebenezer Erskine* Minister at *Stirling*, *Ralph Erskine* Minister at *Dunfermline*, *James Fisher* Minister at *Glasgow*, *William Hutton* Minister at *Stow*, *David Horn* Minister at *Cambusnethen*, *Henry Erskine* Minister at *Falkirk*, and *John M'Cara* Minister at *Burntshields*, did respectively, at the Meetings of the *Associate Synod* in *April* and *September 1746*, *protest* against the *Decision* of the *Associate Synod*, on the *ninth Day* of that Month of *April*, concerning a *religious Clause* in some *Burges-oaths*; though the said *Decision* did *plainly amount* to a *necessary Stand* for the *Testimony already* among their *Hands*, without any *specious Appearance* of *Reason* for the said *Protesting*, in a *Consistency* with the *Holding* of that *Testimony*; And afterwards, before the Meeting of Synod in *April 1747*, they did respectively give in their said *Protests*, with pretended *Reasons* thereof, subscribed by them respectively, in a *Style* and *Strain* most *indecent* and *undutiful*, and containing *false Charges* against the Synod in *plain Matters of Fact*:  
“ FUR-

" FURTHER, the said Ministers, in the *ninth* of their  
 " said pretended *Reasons*, which is subscribed or ad-  
 " opted by them all, have vented and do maintain a  
 " Tenet of *mutual Forbearance*, directly authorising  
 " a *Toleration* of known and acknowledged Sin: AND  
 " FURTHER, the said Mess. Ebenezer Erskine, Ralph  
 " Erskine, James Fisher, William Hutton, David Horn,  
 " Henry Erskine, and John M'Cara, together with  
 " Mess. Andrew Black Minister at Cumbernauld, John  
 " Smith Minister at Jedburgh, and David Telfer Mi-  
 " nister at Monteith, did push for, or concur in and  
 " carry on, a most *disorderly Procedure* in a Court of  
 " CHRIST: Forasmuchas, at the foresaid Meeting of  
 " Synod in April 1747, they pushed for, or concur-  
 " red in and pretended to carry a RESOLUTION to  
 " proceed unto a Vote upon the following Question,  
 " viz. *Whether the Decision anent the religious Clause*  
 " *in some Burgeess-oaths, passed by this Synod in A-*  
 " *pril 1746, shall now or afterwards be made a Term*  
 " *of Ministerial and Christian Communion, ay and*  
 " *until the making of the same to be so shall be refer-*  
 " *red by way of Overture unto Presbyteries and Kirk-*  
 " *sessions, in order to their giving their Judgment*  
 " *thereanent; that so there may in the mean time be*  
 " *a friendly Dealing among the Members of this Synod*  
 " *with one another, in a Way of Conference and Pray-*  
 " *er, in order to their coming, through the Lord's Pi-*  
 " *ty, to see Eye to Eye in the Matter of the said reli-*  
 " *gious Clause; or, Not?* and to have this their Que-  
 " stion voted, before proceeding to call for the *Rea-*  
 " *sons of Protest* against the said *Decision*, with the  
 " *Answers* thereunto, for having them read and con-  
 " sidered;—though the reading and considering of  
 " these *Reasons* and *Answers* was altogether and pe-  
 " culiarly necessary, for a *fair opening* of the Cause;  
 " which *disorderly Procedure* was manifestly *inju-*  
 " *rious* to the Truth asserted in the *Decision* struck  
 " at by their said Question, as bringing it on to be  
 " *condemned*



" *condemned in the Dark* :—As also, instead of suffering the Matter of *Truth* and *Duty*, as to the Decision struck at by their said Question, to be *fairly on the Field*,—they, in their said Question, did aim and urge a *secret* and *covert Thrust* at the same, under a deceitful Colour of due Tendernefs and Regard to Brethren; which disorderly Procedure was of a special Tendency to *impose* on the Judgment of Members in the Case :—And likewise, they the said Mess. *Ebenezer Erskine, Ralph Erskine, James Fisher, William Hutton, David Horn, Henry Erskine, and John M'Cara*, did violently sustain themselves *Judges* concerning their said Question, though they were manifestly and immediately *Parties* in the Matter against the Synod, as being *Protesters* against their *Decision*, that was *struck at* by their said *Question* in *their own favours*; which disorderly Procedure did strike directly against the *lawful Constitution* of the Court: SICKLIKE, the Ministers last mentioned, together with the said Mess. *Andrew Black, John Smith, and David Telfer*, by their pushing for, or concurring in and pretending to carry the RESOLUTION *for a Vote* upon their said Question, did *claim* a pretended *Power*; and they the said Mess. *Ebenezer Erskine, Ralph Erskine, James Fisher, David Horn, Henry Erskine, John M'Cara, Andrew Black, and David Telfer*, by their pushing for, or concurring in and pretending to carry the RESOLUTION *upon their said Question*, did *exerce* the said pretended *Power*, of *tolerating* a *known* and *acknowledged Sin*, even though peculiarly heinous; Inasmuch as, by the said *Resolution*, they pretended to *tolerate* a *present Swearing* among *Seceders*, of the *religious Clause* of some Burgefs-oaths,—which had been justly found, in the *Decision* of Synod about that *Clause*, *still professedly* by them *left standing*, to be a *Swearing* in general *Contradiction* to the present

“ Testimony, and to the *Oath* of the Bond for re-  
 “ newing our Covenants ;—and hereby they did ma-  
 “ terially *drop* the said whole Testimony for Refor-  
 “ mation as among the Hands of the Synod,—giving  
 “ Allowance, at least for a Time, for a material *Re-*  
 “ nunciation thereof by *Oath* :—As also, by the said  
 “ Resolution, they brought a sinful and dangerous *In-*  
 “ novation into the Church of CHRIST ; inasmuchas  
 “ they did thereby pretend to *subject* the foresaid De-  
 “ cree of Synod, in a Controversy of Faith and Case  
 “ of Conscience, to the Consultation of inferior Judi-  
 “ catures, particularly *Kirk-sessions* : AND SICK LIKE,  
 “ all the Ministers above mentioned, together with  
 “ Mess. James Mair Minister at Linton, and James  
 “ Johnston Minister at Dundee, have constituted them-  
 “ selves, particularly at *Stirling*, upon one or other  
 “ of the Days of June 1747, into a pretended Synod,  
 “ in a Way of separating from the rightly constitute  
 “ Associate Synod to which they belonged, through  
 “ turning aside from the lawful Constitution thereof,  
 “ and from the received Testimony still maintained  
 “ by the said Synod ;—thus engaging in a schisma-  
 “ tical Constitution for Support of their foresaid back-  
 “ sliding Course : MOREOVER, the said Mess. James  
 “ Mair, William Hutton, Andrew Black, James John-  
 “ ston, John Smith, and David Telfer, beside the se-  
 “ veral Articles charged against them as above, have  
 “ made themselves, and ARE Art and Part in the  
 “ Guilt of the whole other Articles charged as above  
 “ against their Brethren foresaid : Inasmuchas they  
 “ neglected a suitable and seasonable Testimony against  
 “ the open Offences of their Brethren contained in  
 “ these other Articles : And, on the contrary, they  
 “ have schismatically embodied themselves with these  
 “ their Brethren, in the Way of their continuing in  
 “ and carrying on these their Offences, by their con-  
 “ stituting with them into a pretended Synod as a-  
 “ bove : AND, LASTLY, after giving in their fore-  
 “ said

" said *Protests*, with pretended *Reasons* thereof, and  
 " before the foresaid Meeting of Synod in *April 1747*,  
 " the said Mr. *Ralph Erskine* hath framed and pu-  
 " blished a *Pamphlet*, intituled, *The Lawfulness of the*  
 " *religious Clause of some Burgeses-oaths asserted, &c.*  
 " and the said Mr. *James Fisher* hath framed and pu-  
 " blished a *Pamphlet*, intituled, *A Review of a Pam-*  
 " *phlet, intituled, A serious Inquiry into the Burgeses-*  
 " *oaths of Edinburgh, Perth, and Glasgow, &c.* And  
 " the said Mr. *Ebenezer Erskine* hath, since the said  
 " Meeting of Synod, framed and published a *Pam-*  
 " *phlet, intituled, The true State of the Question up-*  
 " *on which a Breach followed in the Associate Synod,*  
 " *at Edinburgh, Thursday April 9. 1747; and the*  
 " said Mr. *Ralph Erskine* hath also, since that Time,  
 " framed and published a *Pamphlet*, intituled, *Fancy*  
 " *no Faith; or, A seasonable Admonition and Infor-*  
 " *mation to Seceders, against the sinful Constitution of*  
 " *some Brethren into a pretended Judicatory, &c.* All  
 " which *Pamphlets* do evidently *impugn* and *subvert*  
 " the *necessary Testimony* for Reformation which  
 " *themselves have solemnly espoused*,—and are of an e-  
 " vident Tendency to *break* and *seduce* the LORD'S  
 " People:—And likewise, the Ministers all above men-  
 " tioned, at a Meeting in *Stirling*, in *October 1747*,  
 " in' the pretended synodical Capacity into which  
 " they have separated themselves, have framed and  
 " published a *pretended Act*, evidently of the same  
 " Import and Tendency as above, and grossly *defa-*  
 " *ming* the *rightly constitute Synod* in their essaying to  
 " maintain the foresaid Testimony,—yea audacious-  
 " ly pretending to *condemn* and *annul* their lawful  
 " Constitution and Proceedings: And *all* of them  
 " are guilty in the Matter of the said *pretended Act*,  
 " notwithstanding that some of them may have been  
 " absent from the said Meeting;—inasmuch as *none* of  
 " them do appear in making any suitable *Confession* of  
 " their *former* sinful Conjunction with the said pre-



tended Synod, nor in taking up any suitable *Testimony* against their sinful Constitution and Proceedings in general, or the said *pretended Act* in particular:

And the Synod further considering, that the said Ministers have been found guilty of *Contumacy* for not appearing to answer to the Articles of *Libel* exhibited against them; as also considering the additional *Sin* and *Scandal* whereof Mr. *Hutton* has been found guilty, when before the Synod on the 7th of this Month, for which the Synod have found him *highly censurable*: And having considered the following Passages of *Scripture*, viz. Numb. xii. 14. *And the Lord said unto Moses, If her Father had but spit in her Face, should she not be ashamed seven Days? let her be shut out from the Camp seven Days, and after that let her be received in again.* Chap. xvi. 2. 3. 5. 35. *And they rose up before Moses, with certain of the Children of Israel, two hundred and fifty Princes of the Assembly, famous in the Congregation, Men of Renown: And they gathered themselves together against Moses and against Aaron, and said unto them, Ye take too much upon you, seeing all the Congregation are holy every one of them, and the Lord is among them: Wherefore then lift you up yourselves above the Congregation of the Lord?—And he [Moses] spake unto Korah, and unto all his Company, saying, Even To-morrow the Lord will shew who are his, and who is holy; and will cause him to come near unto him; even him whom he hath chosen, will he cause to come near unto him.—And there came out a Fire from the Lord, and consumed the two hundred and fifty Men that offered Incense.* Exod. xxxii. 26. 29. *Then stood Moses in the Gate of the Camp, and said, Who is on the Lord's Side? let him come unto me: And all the Sons of Levi gathered themselves together unto him:—For Moses had said, Consecrate yourselves To-day to the Lord, even every Man upon his Son, and upon his Brother, that*  
he

*he may bestow upon you a Blessing this Day: Compared with Deut. xxxiii. 9. Who said unto his Father and to his Mother, I have not seen him; neither did he acknowledge his Brethren, nor knew his own Children: For they have observed thy Word, and kept thy Covenant. Psal. cxix. 60. 126. I made haste, and delayed not to keep thy Commandments.—It is Time for thee, Lord, to work; for they have made void thy law. Deut. xvii. 12. 13. And the Man that will do presumptuously, and will not hearken unto the Priest,—or unto the Judge, even that Man shall die: And thou shalt put away the Evil from Israel: And all the People shall hear, and fear, and do no more presumptuously. Gal. ii. 5. 11. To whom we gave place by Subjection no not for an Hour; that the Truth of the Gospel might continue with you.—But when Peter was come to Antioch, I withstood him to the Face, because he was to be blamed. Rev. ii. 2. 20. I know thy Works, and thy Labour, and thy Patience, and how thou canst not bear them which are evil: And thou hast tried them which say they are Apostles, and are not; and hast found them liars.—Notwithstanding I have a few Things against thee, because thou sufferest that Woman Jezabel, which calleth herself a Prophetess, to teach and to seduce my Servants: As also Westminster Confession of Faith, Chap. 30. Art. 2. “To these Officers  
 “ the Keys of the Kingdom of Heaven are committed;  
 “ by virtue whereof they have Power respectively,  
 “ to retain and remit Sins; to shut that Kingdom  
 “ against the Impenitent, both by the Word and  
 “ Censures; and to open it to penitent Sinners, by  
 “ the Ministry of the Gospel, and by Absolution  
 “ from Censures, as Occasion shall require.” Art. 3.  
 “ Church-censures are necessary for the reclaiming  
 “ and gaining of offending Brethren, for deterring  
 “ of others from the like Offences, for purging out  
 “ of that Leaven which might infect the whole Lump,  
 “ for vindicating the Honour of Christ, and the holy  
 “ Profession*

“ Profession of the Gospel, and for preventing the  
 “ Wrath of God :” Which Passages of the *Scripture*  
 and *Confession* hold forth the *Duty* and *Necessity* that  
 is incumbent upon ecclesiastical *Judicatures*, to pro-  
 ceed without Delay, in the inflicting of *Censures* up-  
 on Ministers and others, who are found guilty of such  
*heinous Sins* and *Scandals* as the foresaid *Ministers* are  
 justly found guilty of, striking directly against the  
*whole Cause* of Christ and Testimony for Reformation  
 as among the Hands of the Synod, and against the  
*Authority* of our LORD JESUS CHRIST, in whose  
*Name* they are constitute: THEREFORE the Synod  
 did and hereby do agree and resolve to proceed unto  
*Censure against all the Ministers foresaid*, at this pre-  
 sent Meeting.

The Synod delayed farther Procedure in this Af-  
 fair till next Sederunt.

In the Church, April 14. 1748, ante meridiem.

The whole Minutes with relation to the Steps al-  
 ready taken in the Case of the *Ministers* separating  
 from this Synod, being read, the Synod entered up-  
 on proceeding according to the Overture agreed un-  
 to at last Sederunt. After deliberate Reasoning upon  
 this Subject, it was moved, That, before farther Pro-  
 cedure, some Time should be spent in Prayer, sup-  
 plicating the *Throne of Grace*, for divine Counsel and  
 Direction in this weighty and important Affair; —  
 and that, in Prayer, an Essay be made of *confessing*  
*Sin* in a Suitableness to the present Occasion; as to  
 our *sinful Failings* in judicative Managements, parti-  
 cularly with relation to the present Affair; and as to  
 what *sinful Steps* and *Compliances* any Brethren pre-  
 sent were left unto, upon the Affair of the two *sinful*  
*Resolutions* in April last Year. This Motion having  
 been unanimously agreed unto, and two Brethren ha-  
 ving accordingly been employed, as the Mouth of the  
 whole,



whole, in *Prayer and Confession*; the Synod resumed Reasoning upon the Subject. After some considerable Time spent this Way, a Motion was made, That, in regard Mr. *Hutton's* Case is attended with several very *aggravating* Circumstances beside that of any of these other Brethren, the Synod may therefore delay entering upon it till next *Sederunt*, and then consider it *singly*: Which Motion was likewise unanimously agreed to. It was then moved, That, in respect of what has been *found and considered*, as in the Minute of the last *Sederunt* upon this Affair,—the Question be now put, *Suspend all the other eleven Ministers from the Exercise of the Office of the holy Ministry, prohibiting them, severally and jointly, from all and any present Exercise of the said Office of the holy Ministry in the Church of Christ; with Certification, That if they shall not return unto their Duty, acknowledging the Matters of heinous Sin and Scandal found proven against them, with their contumacious Behaviour, unto the Glory of God,—and apply unto the Synod, against their next ordinary Meeting, for giving Satisfaction with respect to the whole of this their sinful Course and Conduct,—that the Synod will then consider upon proceeding against them by some higher Censure, as they shall see Cause; or, Not?* Which Motion having been deliberately considered in Reasoning, was agreed to: And, after Prayer by a Brother for the Lord's Direction, and countenancing his own Institution in this Matter, the Question was put, agreeably to the above Motion, *Suspend, with Certification, or, Not?* And it carried *unanimously*, (excepting that one, *viz.* ———, did not vote), *Suspend, with Certification*: WHEREFORE the Synod considering the several Matters of heinous *Sin and Scandal* found proven against Mess. EBENEZER ERSKINE Minister at *Stirling*, RALPH ERSKINE Minister at *Dunfermline*, JAMES FISHER Minister at *Glasgow*, JAMES MAIR Minister

at *Linton*, DAVID HORN Minister at *Cambusnethen*, HENRY ERSKINE Minister at *Falkirk*, JOHN M'CARA Minister at *Burntshields*, ANDREW BLACK Minister at *Cumbernauld*, JAMES JOHNSTON Minister at *Dundee*, JOHN SMITH Minister at *Jedburgh*, and DAVID TELFER Minister at *Monteith*,—with their *contumacious Behaviour*; and considering sundry Passages of the *holy Scripture* and our *Confession of Faith*;—as all particularly condescended upon in the fore said Minute of the last *Sederunt*;—they therefore DID and hereby DO, in the *Name* and by the *Authority* of the LORD JESUS CHRIST, the *only King and Head of his Church*, and according to the *Powers* committed by HIM to *them* as a Court constitute in his Name, actually *SUSPEND* all the said *Ministers* from the *Exercise* of the Office of the *holy Ministry*, PROHIBITING them, severally and conjunctly, from *all* and *any* present Exercise of the said Office of the *holy Ministry* in the Church of CHRIST; with CERTIFICATION, That if they shall not return unto their Duty, acknowledging the Matters of heinous Sin and Scandal found proven against them, with their fore said contumacious Behaviour, unto the Glory of God,—and apply unto the Synod, against their next ordinary Meeting, for giving Satisfaction with respect to the whole of this their sinful Course and Conduct,—that the Synod will then consider upon *proceeding against them by some higher Censure*, as they shall see Cause.

*Eodem loco & die, post meridiem.*

After reading the Minutes of the Forenoon's *Sederunt*, the Brother who did not vote in the Question about suspending the Ministers therein mentioned, did represent, that though then he had not full Clearness to vote in that Question, yet now, after further thinking seriously upon it, he had all *Freedom* to concur with

with the Synod in the Sentence passed against the said Ministers; and he further declared, that no manner of Influence had been used with him, by any of his Brethren, since last *Sederunt*, upon this Head: All which he craved to have marked in the Minutes.

The Synod then resumed the Case of Mr. *Hutton*, as it was delayed at last *Sederunt*. After reading the Minutes concerning him in particular, Reasoning ensued upon the Affair: And after considerable Time spent this way, it was moved, That, in respect of what has been *found* and *considered*, as in the Minute of Yesternight on this Affair,—the Question be now put, *Depose Mr. William Hutton, Minister at Stow, from the Office of the holy Ministry, prohibiting him from all and any Exercise, henceforth, of the said Office of the holy Ministry in the Church of Christ; as also, excommunicate the said Mr. Hutton from all Communion with the Church of Christ in her sealing Ordinances;—with Certification, That if he shall not return unto his Duty,—acknowledging, unto the Glory of God, the Matters of heinous Sin and Scandal found proven against him, as also his Contumacy, with his sinful and scandalous Behaviour when he appeared before the Synod on the 7th of this Month,—and timeously apply unto this Synod, for giving Satisfaction with respect to the whole of his said sinful Course and Conduct, that the Synod will consider upon proceeding against him by the highest Censure of the Church; or, Not?* Which Motion having been deliberately considered in Reasoning, was *agreed to*: And after Prayer by a Brother, for the Lord's Direction, and countenancing his own Institution in this Matter,—the Question was put, agreeably to the above Motion, *Depose and excommunicate, with Certification, or, Not?* And it carried unanimously, *Depose and excommunicate, with Certification*. WHEREFORE the Synod considering the Matters of heinous *Sin and Scandal* found

H

proven



proven against Mr. WILLIAM HUTTON Minister at  
*Stow*, as particularly condescended upon in the Mi-  
 nute of *Yesternight* on this Affair; as also, that he  
 has been found guilty of *Contumacy*, in not compar-  
 ing to answer to the Articles of *Libel*, at the proper  
 Time, though called, and some time waited for:  
 And likewise considering, that he has greatly *added*  
 to his former *Guilt*, when he appeared before the Sy-  
 nod, in the *unaccountable* and *scandalous Attack* he  
 then made upon the Synod, as formerly represented,  
 wherein he awfully made a *Thrust* at the *whole* of the  
 LORD'S Cause and *Testimony* as among their Hands,  
 and at the Authority of our LORD JESUS CHRIST,  
 in whose *Name* they are constitute:—And consider-  
 ing not only the gross *Absurdity*, but also the great  
*Aggravation* of this his sinful and scandalous Behavi-  
 our,—in that, though he materially *acknowledged*,  
 by his verbal Declaration, before reading his *Paper*,  
 that the LORD'S Cause and *Testimony* was still among  
 the Hands of this Synod, preserved and maintained  
 by them, *in opposition* to the awful Course taken by  
 him and his separating Brethren in *April* last Year,  
 materially burying the said Cause and *Testimony*,  
 with the *lawful Constitution* of the Synod, going in-  
 to a *new* and till then *unheard-of Constitution* of their  
 own; yet still he made such a *Thrust* at the Cause and  
*Testimony* among the Hands of the Synod, by his im-  
 pugning their *Constitution* and *Proceedings*, in a ridi-  
 culing and insulting Manner, with a Number of ve-  
 ry groundless and unaccountable Charges and Accu-  
 sations, and most groundlessly traducing them as  
 Teachers of new and erroneous Doctrine, in an *al-*  
*ledged excluding of Ruling Elders* from being Judges  
 in Controversies of Faith and Cases of Conscience:  
 And considering sundry Passages of the *holy Scri-*  
*ptures* and our *Confession of Faith*, as particularly con-  
 descended upon in the foresaid Minute of *Yesternight*:  
 They therefore DID, and hereby DO, in the Name,  
 and

and by the *Authority* of the LORD JESUS CHRIST, the *only King and Head of his Church*, and according to the *Powers* committed by HIM to *them* as a Court constitute in his Name, actually *DEPOSE* the said Mr. *William Hutton* from the *Office* of the *holy Ministry*, prohibiting him from all and *any Exercise*, henceforth, of the said *Office* of the *holy Ministry* in the Church of CHRIST; as ALSO they DID and hereby DO, in the same *great Name and Authority*, *EXCOMMUNICATE* the said Mr. *Hutton* from all Communion with the *Church of Christ* in her *sealing Ordinances*; with *CERTIFICATION*, That if he shall not return unto his Duty,—acknowledging, unto the Glory of God, the Matters of heinous Sin and Scandal found proven against him, as also his foresaid Contumacy, with his sinful and scandalous Behaviour when he appeared before the Synod on the 7th of this Month,—and timeously apply unto this Synod, for giving Satisfaction with respect to the whole of his said sinful Course and Conduct,—that the Synod will consider upon proceeding against him by the *highest Censure* of the Church.

The Synod considering the many loud and special Calls to the Exercise of *Fasting and Humiliation* at this Juncture, do therefore appoint ———, to meet To-morrow at Nine o'Clock in the Morning, as a *Committee*, for preparing the Draught of an Act for a *publick Fast*, and to have the same in readiness against the *Sederunt* in the Forenoon.

*Eodem loco*, April 15. 1748.

The *Committee* appointed to prepare the Draught of an Act for a *publick Fast*, brought in the same; which being several times read over in Synod, with Amendments, was unanimously approven of, and they enact accordingly; the Tenor whereof follows,

THE Synod taking into serious Consideration, the many obvious Causes of the Lord's Wrath and Grounds of his Controversy with the present Generation in these Lands, through the abounding Sins and Provocations of all Ranks; as also the many threatening Tokens of the Lord's Anger, on account thereof; all which have a loud Call to the Exercise of Fasting and deep Humiliation before him: And particularly, considering the grievous abounding of Ignorance, Atheism, Profanity, and Immorality; together with Unbelief, in Contempt of and Disregard unto the glorious Gospel of Christ; as also great Formality and Lukewarmness about his Cause, — in the losing Sight of, Appetite for and Affection unto his Ordinances, — together with misconstruing and being unsuitably exercised under the Lord's providential Dispensations of Mercy and Judgment; as these Evils are sensibly and sadly on the growing Hand: And further, considering the Flood of manifold spiritual Judgments which is overflowing the Generation, and which may prove a sad Forerunner of awful desolating Strokes: And more particularly, considering the late awful Dispensations of Providence among a witnessing Body in these Lands; that the Lord hath divided them in his Anger, leaving many to a Course of backsliding from the Testimony which they had espoused; and that, especially, a Number of Ministers who were once appearing for his Cause, have been sadly left to fall back therefrom, refusing to be reclaimed, — so that, in contradiction to various Means of the Lord's Appointment for reclaiming them, they are evidently proceeding from one Degree to another, of sad Opposition to the Testimony of Jesus, and the Word of his Patience, as the same was once solemnly espoused by them: And further, considering the great Guiltiness of us all, Ministers and People, before the Lord, because of our deep Hand in the Provocation, through our manifold Sins and Shortcomings;



Shortcomings; particularly, in that we have not been duly affected with and humbled under these awful Dispensations,—nor been exercised as we ought in the Use of Means, especially as to wrestling with the Lord, for having this Course of Backsliding prevented or healed, and his Anger turned away:

Therefore, and for many other obvious Reasons, particularly as enumerated in the *judicial Act and Testimony*, and in the *Acknowledgment of Sins* prefixed to the *Bond* for renewing our Covenants,—the Synod do hereby call, obtest and beseech all under their Inspection, to be exercised in Fasting and deep Humiliation before the Lord; and, in a Way of Dependence upon the Lord Jesus Christ as the great Propitiation for Sin, through Faith in his Blood, to confess and mourn over their own particular Iniquities, as also the Iniquities of the present and former Generation, the many Grounds of the Lord's Controversy against these Lands in general, and a witnessing Body in particular, with their own deep Hand in all this Provocation;—and to supplicate a Throne of Grace, that the Lord would again return to these Lands,—that he would *have Compassion upon us, subdue our Iniquities, and cast all our Sins into the Depths of the Sea*,—that he would purge his House, reform all Ranks, and revive his own Work; that he would graciously open the Eyes of such as have lately turned aside from his Cause and Testimony, reclaiming them from their continued Opposition thereunto; that he would graciously direct and lead, as to using the Discipline and Censures of his own House, and condescend to bless the same, for this End; that he would accordingly bless the Censures already inflicted upon some Ministers engaged in that backsliding Course,—and would thus graciously prevent any Necessity of proceeding with higher Censures against them, by mercifully interposing and reclaiming them, unto the Glory of his great Name; and that those

Censures

Censures already inflicted may be also blessed unto others who are concurring in the said Defection, and thus exposing themselves likewise to the Discipline of the Lord's House,—so as they may *hear, and fear, and do no more presumptuously*;—that the Lord would be gracious unto this Synod, particularly in their ensuing Meeting,—and unto inferior Judicatures,—guiding them with his Eye set upon them, suitably to the Difficulties and Discouragements in their Way; that he would uphold and lead his People, amidst the Dangers and Distractions of the Time; that he would send a plenteous Rain, whereby he may refresh his Heritage when it is weary; that he may countenance the Dispensation of solemn Ordinances, and carry on in the Work of solemn Covenanting; that he may pour out his Spirit upon our Sovereign King *GEORGE*, with inferior Rulers and great ones, as a Spirit of Repentance and Reformation; that he would humble us under his mighty Hand, and prepare us for what he may be about to do with the Generation, teaching us to wait for him in the Way of his Judgments, and to wrestle for his Return in a Way of Mercy; that he would bless the rising Generation, as a Token for Good,—making his Name to be remembered in these Lands from Generation to Generation; that he would continue his Goodness as to the Season of the Year,—enabling to due Thankfulness for Mercies, both spiritual and temporal, which he is yet privileging us with: That the Lord may revive his Work in the Churches abroad,—destroying the Man of Sin, the Kingdom of Antichrist; and that he may hasten the more glorious Coming of his own Kingdom among *Jews and Gentiles*.

And the Synod appoint, that *Wednesday*, the twenty seventh Day of *July* next, be accordingly observed, as a Day of solemn Fasting, Humiliation and Prayer, in their several Congregations, and in vacant Communities and Societies under their Inspection.

And

And they appoint, that this their Act be intimated by all the Ministers of the Synod, from their Pulpits, on the Lord's Day immediately preceeding the said Day of Fasting and Humiliation, after publick Worship in the Forenoon, with suitable Exhortations.

**T**HE Synod considering that they have now finished the *Process* against the *Ministers* separating from this Synod, leaving the Affair of inflicting *higher Censure* upon them, unto farther Consideration, as they shall see Cause; they appoint, that their whole *Proceedings* in this Affair be *published*, with all convenient Expedition: And considering that, through the Multiplicity of other Business upon their Hands, they had not Time, *in præsentia*, to extend and sufficiently illustrate, in their Minutes, the *Evidences* in respect of which they have found the several *Articles* of the Libel *proven*; they therefore appoint —, to meet *quamprimum*, as a *Committee*, for making out a proper *Draught* of these *Evidences*, and to *subjoin* their said *Draught* as an Appendix unto the fore-said *Proceedings* of the Synod in this Affair.

*Extracted by*

JO. REID, *Syn. Cls.*

A N



# A N APPENDIX

BY THE

COMMITTEE of the Associate Synod;

WHEREIN

The EVIDENCES upon which the several *Articles* of the *Libel* have been found *proven*, as in the above *Proceedings*, are EXTENDED and ILLUSTRATED.

THE COMMITTEE of the ASSOCIATE SYNOD, appointed by them for this Purpose, having travelled, at two several Meetings, in a Draught of *extending* and *illustrating* the EVIDENCES upon which the Associate Synod have found proven---the several *Articles* of *Libel* against some Ministers separating from them, as in their *Proceedings* on that Affair; the said *Draught* was accordingly finished and passed, for being subjoined as an *Appendix* to the said *Proceedings of the Associate Synod*: The *Tenor* of which Draught follows,—under the several *Articles* of the *Libel*,—upon the several *Parts*, *Branches* and *Particulars* of each Article,—respectively.

## ARTICLE I. Branch I.

THAT “Mess. EBENEZER ERSKINE Minister at *Stirling*, RALPH ERSKINE Minister at *Dunfermline*, JAMES FISHER Minister at *Glasgow*, WILLIAM HUTTON Minister at *Stow*, DAVID HORN Minister at *Cambusnethen*, HENRY ERSKINE Minister at *Falkirk*, and JOHN M’CARA Minister at *Burntsields*, did respectively, at the Meetings of the *Associate Synod* in *April* and *September* 1746, *protest* against the *Decision* of the Associate Synod

“ nod on the *ninth* Day of that Month of *April*, concern-  
 “ ing a *religious Clause* in some *Burgess-oaths*; though the  
 “ said Decision did *plainly* amount to a *necessary Stand* for the  
 “ Testimony *already* among their Hands, without any *spe-*  
 “ *cious Appearance* of Reason for the said *Protesting*, in a  
 “ Consistency with the *Holding* of that Testimony.”

These Ministers having respectively, at the Meetings fore-  
 said, *protested* against the Decision of the Associate Synod on  
 the ninth Day of that Month of *April*, concerning a religi-  
 ous Clause in some *Burgess-oaths*: Which is a Fact of com-  
 mon *Notoriety*; and appears from the *Minutes* of Synod at  
 their Meetings fore said; and is evident from two subscribed  
*Papers* extant, *viz.* a Paper subscribed by Mess. *Ralph Er-*  
*skine, James Fisher, William Hutton, Henry Erskine, and John*  
*McCara*, bearing their *Protest* with their Reasons for *Pro-*  
*testing* as above, at the Meeting of Synod in *April* fore said;  
 as also, a Paper subscribed by Mess. *Ebenezer Erskine and Da-*  
*vid Horn*, bearing their *Protest* with their Reasons for *Protest-*  
*ing* as above, at the Meeting of Synod in *September* fore said:  
 —It is hereupon to be considered, that,

1<sup>st</sup>, The *Decision* thus protested against, did amount to a  
*Stand* for the Testimony *already* among the Hands of the Sy-  
 nod; so that it even bore *no Appearance* of introducing any  
*new* Point of Testimony, distinct from a Maintenance of the  
 Testimony *already* received. For the said *Decision*, against a  
*present Swearing* of the religious Clause in some *Burgess-oaths*  
 by those of the Secession, doth proceed *expressly* and *wholly*  
 upon this true Consideration, that the said present Swearing  
 “ does *not agree* unto the present State and Circumstances of  
 “ the Testimony for Religion and Reformation which this Sy-  
 “ nod, with those under their Inspection, are maintaining;  
 “ particularly, that it does *not agree* unto, *nor consist* with, an  
 “ entering into the Bond for renewing our solemn Covenants.”

2<sup>dly</sup>, This *Stand* for the Testimony *already* received, which  
 the Decision did thus amount to, was *necessary*. For as it  
 was, in the Nature of the Thing, very *essential* unto the due  
 Maintenance of the said Testimony, for the Synod (upon  
 considering the Matter) to provide, that those under their In-  
 spection might not further, by Mistake through Inadvertency,  
 continue or become thus involved in an Oath, *disagreeable* to  
 that Testimony, and *inconsistent* with the Oath of the Bond  
 for renewing our Covenants; so the Synod were then *shut*

up to a Consideration of this Affair, as they *never were* before; seeing it was *then* providentially brought in their Way, to be adverted unto; and seeing Matters in the Seceſſion were *then* come the Length of *solemn Covenanting*, or the Administration of a *solemn Oath* in renewing our Covenants,—which did evidently lay all the Miniſters, eſpecially in their judicative Capacity, under a *new*, and *narrower Neceſſity* than *ever before*, of examining what *Oaths* about Religion any of their People were *otherwiſe* concerned with.

3dly, The ſaid Deciſion did *plainly amount* to this *neceſſary Stand* for the Teſtimony already received,—without any *ſpecious Appearance* of Reason for the *Proteſting* againſt it, in a Conſiſtency with the *Holding* of that Teſtimony: Seeing,

1. On the one hand, according to the *expreſs Tenor* of the *religious Clause* in ſome Burgeſs-oaths, when the Swearer aſſerts and promiſes, *I profeſs, and allow with my Heart, the true Religion*;—*I ſhall abide thereat, and defend the ſame, to my Life's End*; he is then making this Aſſertion and Promiſe, about the *true Religion preſently profeſſed in this Realm*, and *authoriſed by the Laws thereof*: that is, in making the ſaid *Aſſertion* and *Promiſe* about the true Religion, he doth *expreſſly* conſider it under *that Profeſſing* and *Authoriſing* thereof which *preſently prevail* in this Realm, and no otherwiſe; ſo that he *expreſſly acknowledgeth* and *acquieſceth* in the ſaid *Profeſſing* and *Authoriſing*, as what contain a *ſatisfying Account* and *Maintenance* of the true Religion;—and thus he *plainly declares* his general *Approbation* of and *Satisfaction* with the ſaid *Profeſſing* and *Authoriſing*, or what *national Profeſſion* and *Eſtabliſhment* of the true Religion—are *preſently taking place*. But,

2. On the other hand, according to any plain and common Senſe of the Words, the *Profeſſing* and *Authoriſing*, or the *Profeſſion* and *Eſtabliſhment* of the true Religion, as they *preſently prevail* in this Realm, muſt comprehend the whole general *State of Religion* at this Day---among the Hands of the preſent national Church and civil Government: But the general *State of Religion* among *their* Hands at this Day, is in a Courſe of publick *Deſections* and *Corruptions*: So that the ſaid *Profeſſing* and *Authoriſing*, or what *national Profeſſion* and *Eſtabliſhment* of the true Religion—are *preſently taking place*, are *plainly chargeable* with a Courſe of publick *Deſections* and *Corruptions*; namely, of *all* thoſe publick *Deſections* and *Corruptions*, as to the preſent national Church and civil Government, which are witneſſed againſt in the *judicial Teſtimony*,—  
and



and in the *Bond* for renewing our Covenants. And thus,

3. By a *present Swearing* of the religious Clause in some Burgess-oaths, the Swearer plainly declares his general *Approbation* of and *Satisfaction* with what *Professing* and *Authorising* of the true Religion do *presently* prevail in this Realm, or that *national Profession* and *Establishment* thereof which are *presently* taking place,—though they are *under* the said Course of publick *Defections* and *Corruptions*; so that the Swearer doth plainly *homologate* and *acquiesce* in that Course of publick Defections and Corruptions, witnessed against in the judicial *Testimony*,—and in the *Bond* for renewing our Covenants: Wherefore the *present Swearing* of that Clause is most plainly *disagreeable* to the present State and Circumstances of the *Testimony* for Religion and Reformation, among those of the *Secession*,—and most plainly *inconsistent* with the Oath of the *Bond* for renewing our Covenants; or, it is most plainly a *Swearing* in general *Contradiction* to the said *Testimony* and *Oath* of the *Bond*.

Thus the *Decision* of Synod, against a *present Swearing* of that Clause by those of the *Secession*, did plainly amount to a *necessary Stand* for the *Testimony* already among their Hands,—without any *specious Appearance* of Reason for the *Protesting* against it, in a *Consistency* with the *Holding* of that *Testimony*: And therefore the said *Protesting* is a Case of heinous *Sin* and *Scandal*, as contrary to the *Word of God*, particularly Heb. iv. 14.—*Let us hold fast our Profession.* Chap. x. 23. *Let us hold fast the Profession of our Faith without Wavering.* Rev. iii. 11. *Hold fast that which thou hast, that no Man take thy Crown:* As also to our *Westminster Confession of Faith*, Chap. 31. Art. 3. “Which Decrees and Determinations, if consonant to the Word of God, are to be received with Reverence and Submission; not only for their Agreement with the Word, but also for the Power whereby they are made, as being an Ordinance of God appointed thereunto in his Word:” And to our *Larger Catechism*, *Answers* to *Question* 108. “The Duties required in the second Commandment are, the—keeping pure and entire all such religious Worship and Ordinances as God hath instituted in his Word; particularly,—Swearing by the Name of God.” *Quest.* 109. “The Sins forbidden in the second Commandment are, all—hindering and opposing the Worship and Ordinances which God hath appointed.” Q. 113. “The Sins forbidden in the third

“ Commandment are,—any ways opposing of God’s Truth,  
 “ —and Ways ; or backsliding from it.”

A R T I C L E I. Branch 2.

“ AND afterwards, before the Meeting of Synod in April  
 “ 1747, they did respectively give in their said *Protests*,  
 “ with pretended *Reasons* thereof, subscribed by them respec-  
 “ tively, in a Style and Strain most *indecent* and *undutiful*.”

It being *notorious* beyond all Question, that these Ministers did respectively, before the Meeting of Synod in April 1747, give in *Papers* subscribed by them, containing their *Protests* with pretended *Reasons* thereof ; which *Papers* were also *produced* in the Process, and continue *in retentis* ; namely, one Paper subscribed by Mess. *Ralph Erskine, James Fisher, William Hutton, Henry Erskine, and John M’Cara*, with an *additional Reason* subscribed by Mr. *Ralph Erskine*,—as also, another Paper subscribed by Mess. *Ebenezer Erskine and David Horn* : That these *Papers*, containing their said *Protests* with pretended *Reasons* thereof, are in a Style and Strain most *indecent* and *undutiful*, appears from many Passages thereof, to be found printed along with the *Acts and Proceedings of the Associate Synod at Edinburgh in April 1747*. Particularly,

1<sup>st</sup>, As to the Body of the *first Paper*, that it is in a Style and Strain most *indecent* and *undutiful*, will appear, by considering that therein,

1. Instead of laying their Charge against the Decision—with any *Deference* and *Submission*, it is loaded, in very *absolute* and *dogmatical* Terms, with the Charge of *Sinfulness*, p. 96. ; and of being *contrary to the Word of God, our Standards of Truth,—our Covenants, national and solemn League,—and our late Bond renewing the same*, p. 27. & 28. : Though yet, all along, there is not even any Colour of Reason produced for supporting such heavy Charges ; seeing, in all their *pretended Reasons*, there is not even any *Pretence of Reasoning* against the *true and plain State* of the Decision, as it is precisely about a Swearing of the religious Clause—by *Seceders*,—according to what is *necessarily* the Use and Application thereof in *this Period*. But,

2. Instead of treating the Decision with any *Meekness* and *Soberness*, according to the true and plain State thereof,—it is openly *misrepresented* and odiously *wrested*. And,

(1.) It is openly *misrepresented* : As if therein the *first Clause*

*Clause of the Burgeſſs-oath* (abstractly, were) now condemned by the Synod, p. 58. ; yea, an absolute Condemnation of the Oath—carried, p. 27. ;—ſo that the Synod is traduced, as if they did thus declare what was evidently ſet up by our Reformers, as a Fence againſt Popery, to be now ſinful, p. 58. ; and as if they did thus fix perjury upon ſuch Burgeſſes as did ſwear this religious Clause—in covenanting Times, p. 68. :—Though yet the ſaid Deciſion has even no Appearance of meddling with the religious Clause of ſome Burgeſſs-oaths, any farther than as to the Swearing thereof by Seceders, as it comes neceſſarily to be uſed and applied in this Period ; ſo that (according to what is obſerved in the *Answers* to the *Reaſons of Proteſt*, p. 48. 49. 61. & 62.) the ſpecial Thing condemned by the Synod in that Deciſion, is a Thing which doth not even appear to have had either any Being or Parallel—in the former covenanting Times.

2. It is odiouſly wreſted ; as if it were a Deciſion moſt abſurdly favouring and favouring of Popery : While there is affirmed, that the Synod do thereby find, that the renouncing of the Roman Religion called Papiſtry, does not agree unto the preſent State and Circumſtances of the Teſtimony,—and—does not conſiſt with entering into the Bond for renewing our ſolemn Covenants, p. 87. :—Though yet the ſaid Deciſion has even no Appearance of finding any ſuch Thing about a renouncing of Popery, abstractly ; but only about ſuch a (defective and corrupt) renouncing of it, as in a preſent Swearing of the religious Clause in ſome Burgeſſs-oaths.

3. The loading of that Deciſion with moſt heavy Charges, in a very absolute and dogmatical Way, without any Colour of Reaſon ; as alſo, the openly miſrepreſenting and odiouſly wreſting thereof : All this is carried on with moſt groundleſs railing Accuſations againſt the Synod, as to their paſſing of the ſaid Deciſion,—and as to the Method, Springs and Motives of their Procedure thereunto. And,

(1.) It is carried on with ſuch railing Accuſations againſt the Synod, as to their paſſing of the ſaid Deciſion. For this their Deed is inveighed againſt, as if the ſame were but a Bone of Contention, p. 97. ; nothing but a fiery Squib of the Enemy of Chriſt and his Church, p. 95. ; very arbitrary and dogmatical, *ibid.* ; a lording it over the Conſciences of God's Heritage, p. 28. ; a grievous Impoſition upon the Conſciences of the Lord's People, p. 83. ; a maniſeſt reflexion upon the Diſpenſation of that wiſe Lord, and a lording it over their Brethren ; and an attempting



attempting to force their own Light—upon the Consciences of others, as the Rule that should determine them, p. 93. :—Though yet the Deed so inveighed against—doth so very plainly amount unto a necessary Stand for the Testimony already received among those of the *Secession*, in opposition to a general *Renunciation* thereof, as makes it *shameful* for any of that Character—to have ever contended against or complained of such a Decision.

Moreover, without even any *Appearance* of a Handle for it, there is an inveighing, as if the Synod in their Sentence did plainly contradict themselves; and as if, according to the Synod (in that Sentence), the Oath of the Covenant—must be a sinful Oath, p. 81.; and as if it did now enter into their Mind, that the *Toleration*, *Patronages*, and some thing else inconsistent with the Word of God, is some Part of the true Religion, contained in the Standards of this Church, p. 68.;—yea, as if they were left to fall into this Inconsistency, (*viz.* a Decision most absurdly favouring and favouring of Popery), when an Attempt was made to introduce Popery and arbitrary Power amongst us, p. 87. And in p. 69. a Citation from Mr. Crofton is plainly used for comparing the Synod's Decision with the Course of some Malignants of old, as these became Students unto Perjury—in attempting to make void the Oath of the solemn League.

(2.) It is carried on with such railing Accusations against the Synod, as to the Method of their Procedure unto the said Decision. For they are charged, as to this Matter, with Rashness and Precipitancy, p. 87. and with pushing—unto—a tyrannical Decision, p. 28.: Though yet they proceeded with such grave Deliberation, that before the Decision was made, there was much Reasoning about it, at four different Meetings of Synod, (three of which continued two Weeks each), in thirteen Sederunts mostly very long; and thrice were the Synod employed in publick Fasting and Prayer with respect unto it, thrice in private Diets for Prayer, and seven Times were Brethren employed that way—in the Course of Reasoning.

Moreover, the Synod is charged with passing the Decision, in the Way of stealing a March of their Brethren, in a thin Meeting at Edinburgh, p. 96.:—Though yet, (as is explained in the Answers to the Reasons of Protest, p. 35. 38. 39. 40. 41.) from the first Entrance on that Affair, the several Delays were made with a professed View of coming to some Decision at every next Meeting: And as that Meeting in which the Decision passed, was, on the first Week thereof, no less full

full of Ministers, and *more* full of Elders—than *any* former Meeting on this Affair; so there was then a special Agreement for proceeding to some Decision on the *second* Week, and *none* had any Ground given to conclude, that the Matter might be delayed *farther*, or that *such* a Decision might not fall out as actually came to pass: And even on that *second* Week, as these Brethren did not *begin* to insist for any *Delay* to next ordinary Meeting, till the Matter was just *coming to a Vote*; so they did not *begin* any Objection about a *Thinness* of the Meeting, till *next Day* after the Decision was made.

(3.) It is carried on with such *railing Accusations* against the Synod, as to the *Springs* and *Motives* of their Procedure unto the said Decision. For this their Procedure is traduced, as what it is feared *brings them under that awful Charge of, after Vows making Inquiry*, p. 94. & 95.; and as having been, *instead of loving one another, and strengthening one another's Hands*, the laying a *Foundation—for biting and devouring, and so for destroying one another*, p. 94.—and *contrary to the Law of Love, and solemn Covenant-engagements*, p. 96.: And thus, as the Decision is charged with what it could no way be a *Foundation* of, nor further than an *abused Occasion* of; so the Synod is here inveighed against, as if their Procedure unto that Decision had been from *Want of Love* to their Brethren, and from *Disregard* of solemn Covenant-engagements, to love them, and strengthen their Hands:—Though yet the proper Evidence of Love to them, and the proper Method of strengthening their Hands, on this Occasion, was, by *proceeding* unto that *Decision*, to give a *proper Check* unto their dangerous Course of Opposition to the making of such a *plain and necessary Stand* for the received Testimony.

Moreover, the Synod is most unreasonably and shamefully accused, as if *an Opinion anent the Allegiance to our present Sovereign, contrary to the Testimony and Principles which we profess to hold*,—had given *Rise to and influenced the Sentence of Synod*, p. 88.: And so little Regard is had to common Decency or Duty, that the Synod is loaded with an Insinuation, as if *the Honour of some Brother or Brethren*,—had been *less or more at the Bottom of introducing and deciding this Matter*, p. 86. Again,

2dly, As to the *additional Reason* subjoined to the *first Paper*, it evidently concurs in the same most *indecent and undutiful Style and Strain*. For the most Part of that Reason is  
invidiously

*invidiously* laid, in going quite off from the Point in hand, unto a *vain* arguing about an *Allegiance* to the Civil Magistrate; wherein also the Synod's Quarrel with the *general Oath of Allegiance*—is most injuriously *wrested*, as if they were for making an Allegiance to the Magistrate—to depend upon his *religious* Qualifications.

Moreover, the Synod is again grossly traduced, as having *pushed on a rash*,—*a sinful Decision*: And, without any Shadow of Ground, they are inveighed against with respect to what they had already asserted, as if they did *now assert the contrary*, yea, and make it *sinful to say what they then said*; and as if thus they had, by their Decision, *only condemned themselves*, p. 101. & 102. But,

3dly, As to the *second Paper*, it is in a Style and Strain most indecent and *undutiful*, while the Preamble thereof contains a full Agreement with and Adherence unto the *first Paper*, as if there repeated. And further,

(1.) The Decision is here odiously *misrepresented* and *wrested*: While the Synod is inveighed against, with respect to their passing of that Decision, as if therein they did *push on a Condemnation* (absolutely) *of the first Clause of some Burgeſs-oaths, as sinful*, p. 114; and as if they had thus *cast a Slur upon the whole Witnesses of the Reformation*, p. 119.; and as if they had thus come to *ſtate themſelves in a direct Oppoſition to ſuch a glorious Cloud of Witneſſes, differing without the leaſt Apology from their far ſuperior Judgment and Determination*, p. 114.; and as if they had thus been eſſaying with *united Strength, to bow and crook that which was found ſtraight in the Days of our Reformation*, p. 114.; and as if they had thus been *carrying the Matter,—againſt the whole Flock of Chriſt that have travelled the Road to Glory before us*, p. 115.; and as if the Synod were thus pretending, *that the whole Flock of Chriſt ſince the Reformation have wandered out of the Way of Underſtanding, and that themſelves, by ſome new Light, have found it*, p. 115. & 116.: Though, after all, according to what has been obſerved on the *first Paper*, the ſpecial Thing condemned by the Synod in that Decision, is moſt *plainly* a Thing which our Reformers never *had ado* with; which they never *heard tell* of; yea, which had not either any *Being* or *Parallel* in their Day.

(2.) The Synod is here very unaccountably *traduced*, by charging them with moſt arbitrary and arrogant Procedure in that Decision; as if therein they had *the Boldneſs to impoſe* their

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*their Judgment*, p. 115.; and had attempted to make their *αὐτὸς ἔπος* (or bare Word) impose a Rule of Faith and Practice upon the Church of Christ, p. 116.:—Though yet the said Decision is of such glaring Equity, and doth so plainly amount unto a necessary Stand for the Testimony already received among those of the Secession, that it cannot even appear capable of any Contradiction, in a Consistency with the Holding of that Testimony.

(3.) Most groundless and railing *Accusations* are here thrown out against the Synod, concerning the *Method* of their Procedure in passing that Decision: While they are inveighed against, as if they had therein made a *clandestine Determination*, p. 115. by way of a *Catch*, p. 130.; and as if they had thus followed the same fraudulent Practice, (viz.), to steal a March upon—the honest Side, according to the common Method of the corrupt Party in the *Judicatures of the Establishment*, p. 129.; lying in wait to catch Advantage, p. 128.:—Though yet, according to what has been observed in the first Paper, that Step was made after very grave Deliberation,—in as fair and preadvised a Way as any thing that had ever been transacted by the Associate Synod.

Moreover, the Synod is charged as going into this Decision with a manifest Neglect and Contempt of the *Barrier-acts of the Reformation*, p. 119.:—Though yet the Style of *Barrier-acts* was not then heard of among them; and though the Acts which have since been called so, have not even the Appearance of bearing any Relation to the Nature and Circumstances of the Case in hand.

(4.) The Constitution and Authority of the Synod, on that Occasion, is here very grossly traduced and wilified: While the Decision is once and again talked of, as the Sentence of the thirteen Brethren, p. 114. & 115.; and of thirteen Members of the Associate Synod, when the one half of the constituent Members, and more, were absent, p. 114.; yea, it is talked of as a clandestine Determination of thirteen Men, p. 115. And this wilifying Language is evidently levelled, not simply against the Persons of some Men, but against the Constitution and Authority of a Court of CHRIST; the Synod having been then as regular in their Meeting, Constitution, and Procedure, as at any Time before. For the true Posture of Matters, as to the passing of that Decision, is here grossly traduced:—Seeing (as is explained in the *Answers to the Reasons of Protest*, p. 34. 35. 37. 38. 39. 40. 41. & 42.) the Generality

ality of the Synod was evidently so clear for such a Decision, even at the first Meeting wherein the Affair was entered upon, that the several *Delays* thereof were but forced by the Opposition of a *few* Brethren: And on the *first* Week of the Meeting, wherein the Decision passed, when the Synod was *fuller* than ever formerly on that Affair,—and when the Generality were still appearing on the *same* Side of the Debate as formerly, with an Endeavour for removing some Mistakes and Prejudices,—which some began to apprehend the Continuance of their Brethren's Opposition was mostly, if not wholly, owing unto,—there was then a special *Agreement* for proceeding, on the *second* Week, to bring the Debate unto an *Issue* in some Decision, without further Delay: And of but *forty three* who could then be called constituent Members, (whereof *thirty eight* had come up to that Meeting), *twenty six* were present on the *second* Week when the Decision passed; and the true Division of all present—on the Merits of the Cause, was of *eighteen* to *seven*,—or as to the Ministers, (beside *one* in Hesitation), of *fourteen* to *five*: And even at the *next* Meeting, the *fullest* that had ever been of the Associate Synod, when of *thirty* Ministers belonging thereto, (*two* of whom, then present, had been ordained after the former Meeting), *twenty eight* were present, with *nineteen* Elders; yet none but *two* Ministers, with *two* Elders, were got to join the former *five* Ministers and *two* Elders, either in their Dissent from or Protest against that Decision;—as the *two* Ministers then absent appeared afterwards on the Side of that Decision.

(5.) The Synod is here treated with high *Insults*, and *scornful Contempt*. For they are formally *challenged*, if they alledge they are following the Flock, to *shew the Print of their Feet*, p. 115.: Though it is strange to make any Question, Whether the Flock of Christ have walked in the Way of disallowing *contradictory Oaths* about Religion? But further, the Synod is trampled upon by most unaccountable Charges of *Boldness*, p. 115.;—of a *vast Assurance*, p. 114.;—yea, of the *highest Presumption and Self-confidence*, p. 114.; and as if they had proceeded under the Influence of *Passion, Partiality, and Party-interest*, p. 128.

Thus it appears, that these Ministers did respectively, at the Time mentioned, give in their *Protests*, with *pretended Reasons* thereof, in a Style and Strain most *indecent and unedifying*: Which is a Case of heinous *Sin and Scandal*, as contrary

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trary to the *Word of God*; particularly Rom. xii. 10. *In Honour preferring one another.* Chap. xiii. 7. *Render therefore to all their Dues;—Honour to whom Honour.* 1 Cor. xiv. 32. *And the Spirits of the Prophets are subject to the Prophets.* Jam. iii. 13. *Who is a wise Man, and endued with Knowledge among you? let him shew out of a good Conversation his Works with Meekness of Wisdom.* 1 Pet. iii. 15. *Be ready always to give an Answer—with Meekness and Fear.* Chap. v. 5. *All of you be subject one to another, and be clothed with Humility; for God resisteth the Proud, and giveth Grace to the Humble.* Acts xxvi. 25. *I—speak forth the Words of—Soberness,* 2 Pet. ii. 11. *Whereas Angels which are greater in Power and Might, bring not railing Accusation against them before the Lord: As also to our Larger Catechism, Answers to Question 127. “The Honour which Inferiors owe to their Superiors is, all due Reverence in Heart, Word, and Behaviour;—and Maintenance of their—Authority, according to—the Nature of their Places.” Q. 128. “The Sins of Inferiors against their Superiors are, all—Contempt of—their Persons and Places, in their lawful Counsels, Commands, and Corrections.” Q. 131. “The Duties of Equals are, to regard the Dignity and Worth of each other, in giving Honour to one before another.” Q. 144. “The Duties required in the ninth Commandment are,—studying and practising of whatsoever Things are true, honest, lovely, and of good Report.” Q. 145. “The Sins forbidden in the ninth Commandment are,—speaking too—meanly of—others;—scornful Contempt.”*

#### ARTICLE I. Branch 3.

**T**HAT the Papers of their Protests, with pretended Reasons thereof, are “containing *false Charges* against the Synod, in plain Matters of Fact.” For,

In the *first* Paper, which is subscribed or adopted by them all,—when speaking of the Entrance and Progress upon the *Overture* about the religious Clause of some Burgesses-oaths, they affirm thus, p. 26. “The Brethren who first brought this Debate upon the Field, would not give way to the Consideration of *any other Overture*, of whatever Importance, till the Question anent the Burgesses-oath should be first discussed:”—And they proceed thus, p. 95. & 96. “Although Matters of far greater Moment and Consequence



“ were upon the Anvil; such as, *Overtures* concerning U-  
 “ niformity in *Privy Censures*; Uniformity in *Parochial Vi-*  
 “ *sitations*; concerning the Procedure of the *General Assem-*  
 “ *bly* with respect to Professor *Leechman*’s Sermon on Prayer;  
 “ besides Proposals and Petitions from our People in the  
 “ Time of the Rebellion, for Directions how they were to  
 “ manage, both as to their rising in Arms, and paying of  
 “ Taxes and Contributions levied by the Antichristian Crew,  
 “ in order to carry on their hellish Designs against a Prote-  
 “ stant King and Cause: As also a seasonable Warning re-  
 “ lating to the Grounds of the Lord’s Controversy, and the  
 “ Duty of the People at that Juncture, that they might not  
 “ be intangled or insnared by the Enemy; as also a Propo-  
 “ sal was made, for compiling and emitting an *Explication*  
 “ of the *Lesser Catechism*, for propagating and preserving  
 “ the Principles of our holy Religion in Purity, in this and  
 “ following Generations: We say, that although *all this* was  
 “ upon the Wheel, yet such was the Keenness of our Brethren  
 “ in pushing the Condemnation of the above Clause, that *all*  
 “ *these*, and *other* important Affairs of far greater Concern,  
 “ could not be admitted to *enter* into the Consideration of the  
 “ Synod.”

Now, beside the diminutive Treatment of the Overture a-  
 bout some Burgefs-oaths, as if it had been of very little Mo-  
 ment or Concern; though yet the Synod could have no-  
 thing before them of greater Moment and Concern, than to  
 provide against any such Thing among their People, as a  
*general Renunciation* of the Cause and Testimony of JESUS  
 among their Hands: Beside this, there are sundry *false Char-*  
*ges* here laid against the Synod, in *plain Matters of Fact*;  
 which are of a manifest Scope to blacken and render *odious*—  
 their Procedure upon that Affair. And,

1<sup>st</sup>, As to the *Overtures* mentioned, whereof it is affirm-  
 ed that they could not be *admitted to enter* into the Consi-  
 deration of the Synod, the *Minutes* of Synod do testify the  
 contrary; as follows. “ *Edinburgh, May 16. 1745. Pro-*  
 “ *ceeded to the Consideration of the Overture concerning*  
 “ *the laying down proper Rules and Directions for Parochial*  
 “ *Visitations.* After some Reasoning thereupon, the Synod  
 “ appointed Mess. *Ebenzer Erskine*, &c. to meet as a Com-  
 “ mittee, to ripen the said Overture *quamprimum*.—*Edin-*  
 “ *burgh, May 22. 1745.* The Committee appointed to ripen  
 “ the Overture concerning *Parochial Visitations* not having  
 “ yet

“ yet got Time to meet, the Synod recommend unto them  
 “ to ripen the said Overture against next ordinary Meet-  
 “ ing.—*Stirling, Sept. 26. 1745.* Appointed, that Mess. *E-*  
 “ *benexer Erskine, James Fisher, &c.* meet as a Committee,  
 “ for preparing a Draught of Questions to be put to Mini-  
 “ nisters at *Privy Censures*.—*Edinburgh, April 8. 1746.* Re-  
 “ commended unto the Committee appointed to prepare a  
 “ Draught of Questions to be put to Ministers at *Privy Cen-*  
 “ *sures*, to have the same ready against next Meeting of Sy-  
 “ nod.—Recommended to the Committee appointed to ripen  
 “ the Overture concerning *Parochial Visitations*, to have the  
 “ same ready against that Time.”—And as to the Overture  
 from the Associate Presbytery of *Glasgow*, about Professor  
*Leechman's* Sermon on Prayer, it *freely entered* into the Con-  
 sideration of the Synod, so as to be received into their Mi-  
 nutes at their first Meeting; but no further Proposal about  
 it was afterwards made, far less opposed.

2dly, As to the Affairs mentioned about the late Anti-  
 christian *Rebellion*, whereof it is affirmed that they could not  
 be *admitted to enter* into the Consideration of the Synod;  
 it is well known, that these Affairs were never then *introduc-*  
*ed*, or *sought* to be introduced into the Minutes; but  
 that they were the Subject of deliberate Conference in  
 Synod; and that as much was done in them as was then  
 practicable, or could consist with some Difference of Sentim-  
 ents (particularly betwixt those Brethren and other Mem-  
 bers) upon these Subjects.—And as to an *Explication* of the  
*Lesser Catechism*, though it had been sometimes hinted at in  
 occasional Conference; yet it was *never* formally moved in  
 Synod till the Meeting after that in which the Decision pass-  
 ed,—when a Course was taken accordingly.

3dly, These Brethren speak of *other* important Affairs  
 having been then on the Anvil, which (they say) could not  
 be *admitted to enter* into the Consideration of the Synod, be-  
 fore discussing the Overture about some Burgesses-oaths; yea,  
 they plainly give out, as if (through Opposition of some Bre-  
 thren) *no other* Overtures, or Affairs of Moment and Con-  
 cern, could be *admitted to enter* into Consideration till that  
 Overture was discussed. Whereas the Minutes of Synod  
 do testify, that, during the Dependence of this Affair, (and  
 without Opposition by any), besides the *other Overtures* already  
 noticed, the Synod *discussed* several Overtures, viz. about  
 ordering Assistance for *eighteen* Sabbaths to Mr. *Ebenexer Er-*  
*skine,*

*line*, about disjoining the Seceders at *Alloa* from the Associate Congregation of *Stirling*, about recommending the Practice of *Presbyterial Exercises*, about entering some young Men on *Trials*, and about Procedure toward a Settlement of the Associate Congregation of *Abbotsball*; and that they passed a Determination about the Overture concerning the *Mason-oath*; as also, that they proceeded from Time to Time, upon an Overture about erecting the Seceders at *Denny* into a distinct Community. And besides all these Overtures, a Variety of *other* important Business was managed from Time to Time; particularly as to carrying forward and expediting a Settlement in *Ireland*.—And indeed, how could the Account which these Brethren give of the Matter, bear an Appearance of *Truth*, when as there were *thirty five Sederunts* at the Meetings where the Overture about the Burgefs-oath was in dependence, there was not *one half* of them wherein it was meddled with?

And thus it appears, that their Papers of Protestts, with pretended Reasons thereof, are containing *false Charges* against the Synod in *plain Matters of Fact*: Which is a Case of heinous *Sin* and *Scandal*, as contrary to the *Word of God*, particularly Acts xxvi. 25. *I—speak forth the Words of Truth*. Eph. iv. 15.—*Speaking the Truth in Love*: As also to our *Larger Catechism*, *Answers to Question 144*. “The Duties required in the *ninth* Commandment are,—speaking the “Truth, and only the Truth, in Matters of Judgment and “Justice, and in all other Things whatsoever.” Q. 145. “The Sins forbidden in the *ninth* Commandment are, all “prejudicing the Truth,—especially in publick Judicature; “—speaking Untruth.”

## ARTICLE II.

“**F**URTHER, the said Ministers, in the *ninth* of their  
“said pretended *Reasons*, which is subscribed or adopted  
“by them all, have vented and do maintain a Tenet of  
“*mutual Forbearance*, directly authorising a *Toleration* of  
“*known* and *acknowledged Sin*.”

The said ninth Reason of the first Paper being subscribed by Mess. *Ralph Erskine*, *James Fisher*, *William Hutton*, *Henry Erskine*, and *John M'Cara*;—and it being adopted by Mess. *Ebenezer Erskine* and *David Horn*, in the second Paper subscribed



bed by them; as that second Paper begins thus, "Mr. Erskine having seen and perused a distinct Copy of the Reasons of Protestation given in already,—he fully agrees therewith, and adheres unto the same, as if here repeated,"—so that the first Paper is materially contained in the second; and the fifth Reason of that second Paper begins thus, "Mr. Horn having considered and approved the above Reasons contained in this Paper, he, in conjunction with Mr. Erskine, adds what follows:"—Accordingly,

In the first and second Paragraphs of that *ninth* Reason, they proceed thus, *viz.* "Even upon Supposition we should grant, —that there is *sufficient* objective Evidence unto all, that the swearing the Clause now condemned, would be doing a Thing that is virtually, and upon the Matter, a *sinful* receding from any Part of the Testimony of the Day, which we are professing to hold; though it were to be granted, that *this* behoved to be the Intention or Tendency of the Work, whatever was the Intention of the Worker: yet still—the Synod *ought* to have *injoined* a mutual Forbearance;—the Synod—*ought* rather to have *injoined* this mutual Forbearance, than to have condemned and prohibited the present Swearing of said Clause:—And—we *ought* to carry our Forbearance toward one another *thus far*, &c." And whereas these on the *other* Side may *possibly* alledge, that there can be no *warrantable* Forbearance in a Matter *sinful*, when it is made the *Subject* of a solemn Oath; to this we would answer, &c." And it is obvious, that,

1. There is here pled for, as warrantable, a mutual Forbearance about *Sin*; *viz.* a Thing which is, upon the Matter, a *sinful* receding from any Part of the Testimony of the Day which we are professing to hold; yea, a Matter *sinful* made the *Subject* of a solemn Oath.

2. There is here pled for, as warrantable, a mutual Forbearance about *known Sin*; *viz.* a *Sin* whereof there is *sufficient* objective Evidence unto all; that is, *plainly enough* *sinful*, plainly enough so—for any who are not uncommonly blind or prejudiced in the Matter.

3. There is here pled for, as warrantable, a mutual Forbearance about *known* and *acknowledged Sin*; *viz.* a Forbearance about that *known Sin*, even upon Supposition of its being *granted* to be so; that is, even upon Supposition of *all* Members of the Synod *granting* it to be so,—or of their being *unanimous* in acknowledging it to be a *Sin* of sufficient objective

jective Evidence unto all, or a *glaring* and *known Sin*; that yet there ought to be a mutual Forbearance about it, with respect to others who may have different Sentiments. Yea,

4. It is here expressly taught, (upon some vain Pretences), that the Synod *ought* rather to have *injoined* this mutual Forbearance about a *known* and *acknowledged Sin*,—even some known and acknowledged *Backsliding* from the Testimony of the Day, with an open *Profanation* of the LORD's Name—in making such a Backsliding by solemn *Oath*.

And thus it appears, that the said Ministers, in the *ninth* of their said pretended *Reasons*, which is subscribed or adopted by them all, have vented and do maintain a Tenet of *mutual Forbearance*, directly authorising a *Toleration* of *known* and *acknowledged Sin*:—Which is a heinous Sin and Scandal, as contrary to the *Word of God*, particularly Eph. v. 11. *And have no Fellowship with the unfruitful Works of Darkness, but rather reprove them.* 1 Thess. v. 22. *Abstain from all Appearance of Evil.* 1 Tim. vi. 3. *If any Man teach otherwise, and consent not to wholesome Words, even the Words of our Lord Jesus Christ, and to the Doctrine which is according to Godliness;* Tit. ii. 7. *In all Things shewing thyself a Pattern of good Works; in Doctrine shewing Uncorruptness:* As also to *Confession*, Chap. 20. Art. 3. “They who, upon Pretence of Christian Liberty, do practise any Sin, or cherish any Lust, do thereby destroy the End of Christian Liberty.” Art. 4.—“And for their publishing of such Opinions, or maintaining of such Practices, as are contrary to the Light of Nature, or to the known Principles of Christianity,—concerning—Conversation; or to the Power of Godliness;—they may lawfully be called to Account.” Chap. 26. Art. 2. “Saints, by Profession, are bound to maintain an holy Fellowship and Communion in the Worship of God, and in performing such other spiritual Services as tend to their mutual Edification:” As also to *Larger Catechism, Answers to Quest.* 112. “The third Commandment requires, that the Name of God, his—Ordinances,—Oaths,—and whatsoever else there is whereby he makes himself known, be holily and reverently used,—by an holy Profession, and answerable Conversation.” Q. 145. “The Sins forbidden in the ninth Commandment are,—undue Silence in a just Cause, and holding our Peace when Iniquity calleth for either a Reproof from ourselves, or Complaint to others.”

## ARTICLE III.

“ **A**ND FURTHER, the said Mess. *Ebenezer Erskine, Ralph Erskine, James Fisher, William Hutton, David Horn, Henry Erskine, and John M’Cara*, together with Mess. *Andrew Black Minister at Cumbernauld, John Smith Minister at Jedburgh, and David Telfer Minister at Monteith*, did push for, or concur in, and carry on, a most disorderly Procedure in a Court of CHRIST: Forasmuch as, at the foresaid Meeting of Synod in April 1747, they pushed for, or concurred in, and pretended to carry a RESOLUTION to proceed unto a Vote upon the following Question, viz. *Whether the Decision anent the religious Clause in some Burgeſs-oaths, paſſed by this Synod in April 1746, ſhall now or afterwards be made a Term of Ministerial and Christian Communion, ay and until the making of the ſame to be ſo ſhall be referred by way of Overture unto Presbyteries and Kirk-ſeſſions, in order to their giving their Judgment thereanent; that ſo there may in the mean time be a friendly Dealing among the Members of this Synod with one another, in a Way of Conference and Prayer, in order to their coming, thro’ the Lord’s Pity, to ſee Eye to Eye in the Matter of the ſaid religious Clause; or, Not?* and to have this their Question voted, before proceeding to call for the *Reasons of Protest* against the ſaid Decision, with the *Answers* thereunto, for having them read and conſidered;—though the reading and conſidering of theſe *Reasons* and *Answers* was altogether and peculiarly neceſſary, for a fair opening of the Cause; which diſorderly Procedure was manifeſtly injurious to the Truth aſſerted in the Decision ſtruck at by their ſaid Question, as bringing it on to be condemned in the Dark:—As alſo, inſtead of ſuffering the Matter of Truth and Duty, as to the Decision ſtruck at by their ſaid Question, to be fairly on the Field,—they, in their ſaid Question, did aim and urge a ſecret and covert Thrust at the ſame, under a deceitful Colour of due Tenderneſs and Regard to Brethren; which diſorderly Procedure was of a ſpecial Tendency to impoſe on the Judgment of Members in the Caſe:—And likewiſe, they the ſaid Mess. *Ebenezer Erskine, Ralph Erskine, James Fisher, William Hutton, David Horn, Henry Erskine, and John M’Cara*, did violently ſuſtain themſelves Judges concerning their ſaid Question, though they were manifeſtly and immediately Parties in the Matter againſt

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“ the Synod, as being *Protesters* against their *Decison*, that  
 “ was *struck at* by their said *Question* in *their own favours* ;  
 “ which disorderly Procedure did strike directly against the  
 “ *lawful Constitution* of the Court.”

With respect to this *Article*, it is to be observed, that,

1<sup>st</sup>, The Ministers therein *first* mentioned, having, at the Meeting of Synod in *April 1747*, *pushed for*, or *concurred in*, and pretended to carry a *Resolution* to proceed unto a *Vote* upon the *Question* mentioned,—and to have this their *Question* voted before proceeding to call for the *Reasons of Protest*, with the *Answers* thereunto, for having them read and considered; (which is a Fact of undeniable *Notoriety*, —having been transacted, not in a Corner, but publickly, in Face of Synod, before many Witnesses): That the same was a *most disorderly Procedure* in a Court of Christ, manifestly injurious to the *Truth* asserted in the *Decison* struck at by their said *Question*,—as bringing it on to be condemned in the *Dark*, and of a special Tendency to impose on the *Judgment of Members* in the *Case*;—this will appear by considering, that,

I. According to any moral *Order* and *Propriety*, there could be *no room* for any such *Question* at all to be voted concerning the said *Decison* of Synod, as, *Whether it should be made a Term of Communion?* &c. but only for a *Question* about *Whether it was right or wrong?* For, on the one hand, if the *Decison* had indeed been *wrong*, as condemning a righteous and necessary Oath about Religion,—to the Glory of God; then the only proper and adequate Course would have been, to *reverse it directly*, with an Acknowledgment of deep *Guilt* in having ever passed it: But, on the other hand, if the *Decison* had been (as it indeed was) *right*; then there could be *no room* for questioning, *whether it should be made a Term of Communion?* &c. as this could be nothing other than a *questioning*, whether some *Seceding People* might not be borne with and *tolerated*—in their proceeding presumptuously to an Oath *renouncing* the whole Testimony of Jesus as among their Hands,—and also some *Seceding Ministers* borne with and *tolerated*—in their proceeding presumptuously to *admit* these Persons likewise into the Oath of the *Bond?*

Thus their pushing for, or concurring in, and pretending to carry a *Resolution* for proceeding to a *Vote* upon such a *Question*, was, in the obvious Nature of the Thing, a *disorderly Procedure*. But further, the Forbearance and *Tolerati-*

on aimed at by their said Question, behoved to be, upon the Matter, a judicial *overthrowing* of the foresaid Decision, as to all *Observance* or *Effect* of it, and so a *condemning* of the *Truth* asserted therein; though yet, according to the obvious Nature of their said Question, it did not suffer the Matter of *Truth* and *Duty*—as to that Decision, to be *fairly on the Field*, but *shifted* the Point—Whether the same was *right or wrong*? Wherefore their disorderly Procedure about their Resolution for proceeding to a Vote upon such a Question, was *injurious* to the *Truth* asserted in the Decision struck at by their said Question, as bringing it on to be *condemned in the Dark*.

2. Their Procedure was *most disorderly*, as it was a pushing for, or concurring in, and pretending to carry the Resolution to have this their Question voted, *before* proceeding to call for the Reasons of Protest, with the Answers thereunto, for having them read and considered. For though it could have been orderly for the Synod, if they had seen Cause, simply to delay proceeding in the Affair of these Reasons and Answers; yet it behoved to be *most disorderly*, and what the Synod could have *no just Power* for, to *delay* proceeding in that Affair, by way of proceeding in *the mean time* to a voting of the foresaid Question; as this behoved to be a letting their Decision protested against—be *thrown loose*,—into a new, preposterous and absurd Question,—with an express *refusing* to let the Merits of the Cause be opened.

And this most disorderly Procedure, of their pushing for, or concurring in, and pretending to carry the Resolution to have this their Question voted, *before* proceeding to call for the Reasons of Protest, with the Answers thereunto, for having them read and considered,—was *manifestly injurious* to the *Truth* asserted in the Decision struck at by their said Question, as bringing it on to be *condemned in the Dark*. For as the said Question was, in its own Nature, a bringing on of that Truth to be condemned in the Dark; so thus it was pushed in an *express* and *stated Contradiction* unto a *fair opening* of the Cause,—by reading and considering the *Reasons of Protest*, with the *Answers* thereunto; though this was *altogether necessary* for a fair opening of the Cause, as to whether the striking against that Decision could be justified—or not: And moreover, the reading and considering of these Reasons and Answers, was *peculiarly necessary* for a fair opening of the Cause;—seeing, as is well known, not *one half* of the Members then present, had been present at a judicial Examination

of that Matter formerly, so as to be regularly acquainted therewith, and capable of voting in the foresaid Question with Understanding; and seeing several *Elders* were complaining, that they were *precluded* from necessary Acquaintance therewith; and some *Elders* craved a Hearing of these Reasons and Answers, as being so far unacquainted with the Question urged to be put, that they even *never* so much as *saw* or *heard read*, the Decision of Synod struck at by the said Question.

3. As this Method of Procedure was of a *Tendency to impose* on the Judgment of Members in the Case; through shifting any proper Question about the Decision, as to whether it was right or wrong,—and attacking it indirectly, in such a preposterous and absurd Question as that urged to be put: So this Question was *directly laid* under a Pretence of *friendly Dealing*, with respect to the Brethren who were opposing the said Decision;—and thus, instead of suffering the Matter of *Truth and Duty*—as to the Decision struck at—to be *fairly on the Field*, there was aimed and urged a *secret and covert Thrust* at the same, under a deceitful Colour of due Tendernefs and Regard to Brethren; which was of a *special Tendency to impose* on the Judgment of Members in the Case,—as being a practising upon their *Affections* with respect to *Men*, instead of dealing honestly with their *Understandings*, with respect to what was *Truth or Error—Sin or Duty*—as to the Matter in hand.

2dly, The Ministers *last* mentioned in this Article, who were *Protesters* against the Decision struck at by their said Question, having *violently* (*viz.* over the Belly of Reasoning and Protestation to the contrary) *sustained themselves Judges concerning their said Question*; (which is a Fact of undeniable *Notoriety*,—having been transacted, not in a Corner, but publicly, in Face of Synod, before many Witnesses): That this was a *most disorderly Procedure*, which did *strike directly against the lawful Constitution of the Court*,—will appear, by considering, that,

It is manifestly *inconsistent* with the lawful Constitution of *any Court*, and especially a Court of CHRIST,—for any to sustain themselves *Judges* in the Court, with respect to any Cause wherein they are manifestly and immediately *Parties*,—that is, where the Cause in hand is *their own personal Cause*, as to the Guiltiness or Innocency of *their own personal Conduct*, and what Course ought to be taken with *them* accordingly; Yea, for Men to sustain themselves *Judges* against the



the Court—in *such* a Cause, doth manifestly strike against *all Rule, Order and Equity* in a Court, and is even *subversive* of its very Nature.

However, that *Question* concerning which these Brethren did violently sustain themselves *Judges*, was a Matter in which they were manifestly and immediately *Parties* against the Synod. For, as they were *Protesters* against the Decision struck at by their said Question; so this was a Question properly and immediately in *their own favours*, in *their own personal favours*, with respect to their protesting against—yea their Opposition whatever—unto the said Decision: As the plain and immediate *Scope* of this Question was (without examining their *Reasons* of Protest, to try whether their Opposition to that Decision was any way reasonable, yet) to *determine*, that *they ought not* to be reckoned *Offenders* in their Opposition to the said Decision of Synod,—that there ought not any Course to be taken with *them*—for their past or future Opposition to the said Decision, and that *no Check* ought to be given unto *them* in their said Opposition,—but that *they ought* to be wholly *tolerated* to behave at pleasure, as long as they should not see Eye to Eye with the Synod, in that Affair.

And thus it appears, that the Ministers *first* mentioned in this Article, their pushing for, or concurring in, and pretending to carry a *Resolution* to proceed unto a Vote upon the Question mentioned,—and to have this their Question voted, *before* proceeding to call for the Reasons of Protest, with the Answers thereunto, for having them read and considered,—was a *most disorderly* Procedure in a Court of Christ, manifestly *injurious* to the *Truth* asserted in the Decision struck at by their said Question,—as bringing it on to be *condemned in the Dark*, and of a *special Tendency* to *impose* on the Judgment of Members in the Case; as also, that the Ministers *last* mentioned in this Article, their violently sustaining themselves *Judges* concerning their said Question, (which afforded the Pretence of carrying the foresaid Resolution),—was a *most disorderly* Procedure, even *striking directly* against the lawful *Constitution* of the Court: Which is a heinous *Sin and Scandal*, as contrary to the *Word of God*, particularly 1 Cor. xiv. 40. *Let all Things be done decently, and in Order.* 2 Cor. xiii. 8. *For we can do nothing against the Truth, but for the Truth.*—Prov. ii. 3. 4. 5. *Yea, if thou criest after Knowledge, and liftest up thy Voice for Understanding; if thou seekest her as Silver, and searchest*

*searchest for her as for hid Treasures : Then shalt thou understand the Fear of the Lord, and find the Knowledge of God.* John vii. 24.—*Judge righteous Judgment.* 2<sup>d</sup> Cor. iv. 2. *But have renounced the hidden Things of Dishonesty, not walking in Craftiness, nor handling the Word of God deceitfully, but by Manifestation of the Truth.* 1 Thess. ii. 3. *For our Exhortation was not of Deceit,—nor in Guile.*——1 Cor. xiv. 33. *For God is not the Author of Confusion, but of Peace, as in all Churches of the Saints :* As also to *Confession, Chap. 20. Art. 4.*—*“ They who, upon Pretence of Christian Liberty, shall oppose any lawful Power, or the lawful Exercise of it, whether it be civil or ecclesiastical, resist the Ordinance of God : And for—such Practices as—are destructive to the external Peace and Order which Christ hath established in the Church, they may lawfully be called to Account.”* *Chap. 25. Art. 4.*—*“ Particular Churches—are—less pure, according as—Ordinances [are] administred—less purely in them.”* *Chap. 31. Art. 3.* *“ It belongeth to Synods and Councils, to set down Rules and Directions for the better ordering of the publick Worship of God, and Government of his Church : ”* And to *Larger Catechism, Answers to Q. 108.* *“ The Duties required in the second Commandment are,—keeping pure and entire all such—Ordinances as God hath instituted in his Word ; particularly,—Church Government and Discipline.”* Q. 113. *“ The Sins forbidden in the third Commandment are,—any ways opposing of God’s Truth—and Ways.”* Q. 144. *“ The Duties required in the ninth Commandment are,—appearing and standing for the Truth.”* Q. 145. *“ The Sins forbidden in the ninth Commandment are, all prejudicing the Truth,—especially in publick Judicature ;—outfacing and overbearing the Truth ;—concealing the Truth ; undue Silence in a just Cause.”*

#### ARTICLE IV.

*“ SICKLIKE, the Ministers last mentioned, together with the said Mess. Andrew Black, John Smith, and David Telfer, by their pushing for, or concurring in, and pretending to carry the RESOLUTION for a Vote upon their said Question, did claim a pretended Power ; and they the said Mess. Ebenezer Erskine, Ralph Erskine, James Fisher, David Horn, Henry Erskine, John M’Cara, Andrew Black,*  
*“ and*

“ and *David Telfer*, by their pushing for, or concurring in,  
 “ and pretending to carry the *RESOLUTION upon their said*  
 “ *Question*, did *exerce* the said pretended *Power*, of tolerating  
 “ a *known* and *acknowledged Sin*, even though peculiarly heinous:  
 “ Inasmuch as, by the said *Resolution*, they pretended  
 “ to *tolerate* a present Swearing among *Seceders*, of the *religious*  
 “ *Clause* of some Burgefs-oaths,—which had been justly  
 “ found, in the *Decision* of Synod about that *Clause*, *still pro-*  
 “ *fessedly* by *them left standing*, to be a Swearing in general  
 “ *Contradiction* to the present Testimony, and to the *Oath*  
 “ of the Bond for renewing our Covenants;—and hereby  
 “ they did materially *drop* the said whole Testimony for Re-  
 “ formation as among the Hands of the Synod,—giving *Al-*  
 “ *lowance*, at least for a Time, for a material *Renunciation*  
 “ thereof by *Oath*:—As also, by the said *Resolution*, they  
 “ brought a sinful and dangerous *Innovation* into the Church  
 “ of CHRIST; inasmuch as they did thereby pretend to *subject*  
 “ the fore said Decree of Synod, in a Controversy of Faith  
 “ and Case of Conscience, to the Consultation of inferior  
 “ Judicatures, particularly *Kirk-sessions*.”

With respect to this *Article*, it is to be observed, that,  
 1<sup>st</sup>, The Ministers therein *first* spoke of and mentioned ha-  
 ving (*viz.* at the Meeting of Synod expressed in the third Ar-  
 ticle) *pushed for, or concurred in, and pretended to carry the Re-*  
*solution for a Vote upon their said Question*; and the Ministers  
*next* mentioned having (*viz.* at the same Meeting) *pushed for,*  
*or concurred in, and pretended to carry the Resolution upon their*  
*said Question*, [*viz.* “ That the Decision anent the religious  
 “ Clause in some Burgefs-oaths, passed by this Synod in *April*  
 “ 1746, shall not now or afterwards be made a Term of Ministe-  
 “ rial and Christian Communion, ay and until,” &c.]; (which  
 are Facts of undeniable Notoriety,—having been transacted,  
 not in a Corner, but publicly, in Face of Synod, before ma-  
 ny Witnesses): That by the Resolution for a Vote upon  
 their said Question—*there was claimed*, and that by the Reso-  
 lution upon their said Question—*there was also exercised, a*  
*pretended Power of tolerating a known and acknowledged Sin, e-*  
*ven though peculiarly heinous, as in the Matter specified, of a*  
*Swearing in general Contradiction to the present Testimony,—and*  
*to the Oath of the Bond for renewing our Covenants*; and that  
 by this Resolution upon their Question, *the said whole Testi-*  
*mony for Reformation as among the Hands of the Synod, was ma-*  
*terially*



*terially dropt,—in giving Allowance, at least for a Time, for a material Renunciation thereof by Oath;—all this will appear by considering, that,*

1. As a present Swearing among Seceders, of the religious Clause in some Burgeſs-oaths, had been juſtly found, in the Deciſion of Synod about that Clause, to be a Swearing in general Contradiſtion to the preſent Teſtimony, and to the Oath of the Bond for renewing our Covenants: So the ſaid *Deciſion* was *ſtill profreſſedly, by theſe very Brethren, left ſtanding*. For,

(1.) It is notorious, that theſe Miniſters did not then crave any expreſs *Reverſing* of that Deciſion; yea that, on the contrary, they poſitively *declined* doing ſo: For though there was open pleading and inſiſting, in Face of Synod, that if the ſaid Deciſion could be found deſerving to be reverſed, it might be done regularly, honeſtly and expreſſly, in plain and ingenuous Terms, without any Covert; yet even the *Proteſters* againſt that Deciſion, who were puſhing the Reſolution againſt it, would by no means *venture* to bring it *expreſſly* into queſtion,—as is explained in the *Act* of Synod, April 16. 1747. *condemning the ſecond Reſolution*. And ſo,

(2.) Theſe Miniſters did thus profreſſedly *concur*, in having that Deciſion ſtill left *ſtanding* in the Minutes, without any Sentence *profreſſedly* reverſing the ſame. And,

(3.) Their *firſt Reſolution*, *viz.* for proceeding to a Vote upon their Queſtion, did directly *exclude* the *Reaſons of Proteſt* againſt the ſaid Deciſion—from being previously read and conſidered: that is, by their ſaid Reſolution, they directly *refuſed* to let what had been offered againſt the Deciſion—obtain any preſent *Hearing* and *Regard*; ſo that, by this very Reſolution, *they left* the ſaid Deciſion ſtill *profreſſedly ſtanding*. Yea,

(4.) Their *next Reſolution*, or the Reſolution upon their Queſtion, directly bears a *profreſſing* to leave the ſaid Deciſion *ſtill in being*, as a Deciſion of Synod. For it is a Reſolution, that the ſaid Deciſion *ſhall not be made, &c. until, &c.*—and a determining *not to make* a Thing this or that, *until* ſo and ſo, doth openly bear a *Profeſſion* of leaving that Thing to *ſtand* in the mean time *as it is*: And thus that Reſolution doth profreſſedly *take Knowledge* of and *avow* the ſaid Deciſion of Synod, as *continuing* and *to continue in being*.—Wherefore the ſaid *Deciſion* was, by theſe Brethren *themſelves*, even in

in their *Resolutions* concerning it, still *professedly* left standing. But,

2. The *Resolution* upon their Question, that the said Decision *shall not now or afterwards be made a Term of Ministerial and Christian Communion, ay and until, &c.*: This Resolution, if it mean any thing at all, doth openly bear a *tolerating*—and an *enacting* of a full Forbearance, in the mean Time, about a *present Swearing* of the religious Clause in some Burgeſs-oaths—by Seceders, and about an *Admiſſion* of them notwithstanding—into the *Oath* of the *Covenant*; ſo that none ſhould be conſidered or dealt with as *Offenders* on theſe Accounts; but that all ſhould be left to uſe *their Freedom* in theſe Caſes, and to proceed as *preſumptuouſly* as they pleaſe againſt the foreſaid Decision of Synod,—without having *Ministerial and Christian Communion any way marred by, or ſcrupled at*, on account of ſuch Practices. Thus,

3. By their ſaid *Resolution* they pretended to *tolerate a known and acknowledged Sin*, even though peculiarly heinous,—as in the Matter of an *Oath*, *contradictory* to the whole preſent *Testimony*, and to the *Oath* of the *Bond* in renewing our Covenants: Seeing they thereby pretended to *tolerate a preſent Swearing* of the religious Clause of ſome Burgeſs-oaths—by Seceders; though that preſent Swearing is juſtly found, in the ſaid Decision of Synod, to be ſuch a *Sin*, of ſuch a Nature and *Heinouſneſs*; and found to be ſo in a Decision which *themſelves* do *professedly*—in the mean Time—*leave ſtanding*: So that their foreſaid *Resolution* did *jointly* contain, both a *professing* to *reſerve* the ſaid Decision, as ſtill finding and repreſenting unto People,—that the above Swearing is indeed a *Sin* of ſuch a Nature and *Heinouſneſs*,—and yet a pretending to *tolerate* or grant a *Liberty* for the ſame.

And ſeeing this *Resolution* upon their Question—did contain an *exerciſing* of ſuch a pretended Power, it neceſſarily follows, that the foregoing *Resolution* to proceed unto a Vote upon that Question, as it claimed a Power of making the next *Resolution*,—if they ſhould incline, did thus contain a *claiming* of that pretended Power—to *tolerate* ſuch a *known and acknowledged Sin*. Moreover,

4. As by this *Resolution* upon their Question there was thus pretended to be given unto People a judicial *Toleration, Warrant, and Allowance*, at leaſt for a Time, to proceed in a *SWEARING*, which was juſtly found to be in *general Contradiction* to the preſent *Testimony*,—and to the *Oath* of the

Bond for renewing our *Covenants*, thus containing a material *Renunciation by Oath*—of the whole Testimony for Reformation as then among the Hands of the Associate Synod; so that People proceeding in *this* Manner might be admitted *likewise* into the Oath of the *Covenant*: It is therefore obvious, that their said Resolution did awfully contain a material *Dropping* of the said whole *Testimony*,—as giving up with any *open, faithful, and consistent* Maintenance thereof.

And though the Resolution wherein this awful Work was made, did bear a Pretence of being only for *some Time*; yet, according to the express Tenor of that Resolution, any *Reformation* of such a Course—is left to *depend* upon the Point of *Harmony*,—in seeing Eye to Eye.

2dly, The Ministers *last* mentioned in this Article, by their said Resolution upon their Question, *did bring a sinful and dangerous Innovation into the Church of CHRIST*, viz. of *subjecting the Decrees of Synods and Councils, in Controversies of Faith and Cases of Conscience, to the Consultation of inferior Judicatures, particularly Kirk-sessions*; as they thereby pretended thus to *subject* the foresaid Decree of Synod in a Controversy of Faith and Case of Conscience. For,

1. The said *Decree* of Synod was evidently in a *Controversy of Faith and Case of Conscience*; as it was obviously a judicial Determining in a Question, Whether such a Thing ought to be *believed sinful*—or not, and *unsafe* for the *Conscience*—or not?

2. This Decree of Synod, in a Controversy of Faith and Case of Conscience, they pretended, by their foresaid Resolution, to *subject to the Consultation of inferior Judicatures, particularly Kirk-sessions*: For, according to the express Tenor of that Resolution, the *superseding* of the Toleration thereby granted, so as the Synod should come to make *any Account* of it,—whether their Decree was *observed or not*, is made to *depend* upon Presbyteries and Kirk-sessions—their giving their Judgment thereanent. But,

3. For a Decree of Synod, in a Controversy of Faith and Case of Conscience, which is a Matter of such Sort—as is not at all to be determined according to Considerations of *Peace and Expediency*; for *such* a Decree to be subjected to the Consultation of inferior Judicatures,—and particularly of *Kirk-sessions*, which are made up of such as are not called to labour in Doctrine; and for such a Decree, even when come the Length of being a *Decree*,—and *professedly left to continue so*, yet

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yet to be thus *subjected* to the Consultation of *inferior* Judicatures: This is a Thing manifestly inconsistent with the *Subordination* of Judicatures, contrary to the whole *Scripture-view* of Presbyterial Authority and Government, without all *Precedent* in the Church of CHRIST, and introductive of *Anarchy* and *Confusion*. Particularly,

4. Such an *Innovation*, as it is plainly opposite to *Scripture-example*, Acts xvi. 4. so it is directly subversive of our *Confession of Faith*, Chap. 31. Art. 3. For, according to that *Article* of our Confession, as it *belongeth* to Synods—ministerially to determine Controversies of Faith and Cases of Conscience; so these *Determinations* and *Decrees*, if *consonant* to the *Word of God*, (and if the present Decree of Synod were not so, then the only proper Course had been—to have had it honestly remonstrated against and reversed), *are to be received with Reverence and Submission*, without Dependence on the Judgment of inferior Judicatures.

And thus appears the Charge of this *Article*;—that, in the Affair of the *two Resolutions* mentioned, there was *claimed* and *exercised* a pretended Power of *tolerating* a *known* and *acknowledged Sin*, even though peculiarly heinous, as in the Matter of an *Oath*, in *general Contradiction* to the present *Testimony*, and to the *Oath of the Bond* for renewing our *Covenants*;—as also, that, in the Affair of the *second Resolution*, there was a material *Dropping* of the *whole Testimony* for Reformation as among the Hands of the Synod, in giving *Allowance*, at least for a Time, for a material *Renunciation* thereof by *Oath*; and that, by the said Resolution, there was brought into the Church of CHRIST, the *sinful and dangerous Innovation*, of *subjecting* the *Decrees of Synods and Councils*,—in *Controversies of Faith and Cases of Conscience*, to the Consultation of *inferior Judicatures*, particularly Kirk-sessions: Which is a heinous *Sin* and *Scandal*, as contrary to the *Word of God*, particularly Lev. xix. 17. *Thou shalt not hate thy Brother in thine heart; thou shalt in any ways rebuke thy Neighbour, and not suffer Sin upon him.* Psal. cxix. 126. *It is Time for thee, Lord, to work; for they have made void thy Law.* 1 Cor. v. 7. *Purge out therefore the old Leaven, that ye may be a new Lump.* Jude v 23. *And others save with Fear, pulling them out of the Fire; hating even the Garment spotted by the Flesh.* —Prov. xxiii. 23. *Buy the Truth, and sell it not.* 1 Tim. iii. 15.—*The Church of the living God, the Pillar and Ground of the Truth.* Jude v 3.—*Ye should earnestly contend for the Faith*

*which was once delivered unto the Saints.*——1 Cor. xiv.  
 33. *For God is not the Author of Confusion, but of Peace, as in  
 all Churches of the Saints.* Acts xvi. 4.—*They delivered them  
 the Decrees for to keep, that were ordained of the Apostles and El-  
 ders which were at Jerusalem: As also to Confession, Chap. 20.  
 Art. 4.*—“The Powers which God hath ordained, and the  
 “ Liberty which Christ hath purchased, are not intended by  
 “ God to destroy, but mutually to uphold and preserve one  
 “ another:—And for their publishing of such Opinions, or  
 “ maintaining of such Practices, as are contrary to the Light  
 “ of Nature, or to the known Principles of Christianity,  
 “ whether concerning Faith, Worship, or Conversation;  
 “ or to the Power of Godliness; or such erroneous Opini-  
 “ ons or Practices as, either in their own Nature, or in the  
 “ Manner of publishing or maintaining them, are destructive  
 “ to the external Peace and Order which Christ hath esta-  
 “ blished in the Church; they may lawfully be called to Ac-  
 “ count, and proceeded against by the Censures of the  
 “ Church.” Chap. 22. Art. 3.—“Neither may any Man  
 “ bind himself by Oath to any thing, but what is good and  
 “ just.” Art. 4. “An Oath is to be taken in the plain and  
 “ common Sense of the Words, without Equivocation or  
 “ mental Reservation.” Chap. 30. Art. 3. “Church-cen-  
 “ sures are necessary for the reclaiming and gaining of of-  
 “ fending Brethren, for deterring of others from the like  
 “ Offences, for purging out of that Leaven which might in-  
 “ fect the whole Lump, for vindicating the Honour of Christ,  
 “ and the holy Profession of the Gospel, and for preventing  
 “ the Wrath of God.”—Art. 4. “For the better attaining  
 “ of these Ends, the Officers of the Church are to proceed  
 “ by Admonition, Suspension from the Sacrament of the  
 “ Lord’s Supper for a Season, and by Excommunication  
 “ from the Church, according to the Nature of the Crime,  
 “ and Demerit of the Person.” Chap. 31. Art. 3. “It be-  
 “ longeth to Synods and Councils, ministerially to deter-  
 “ mine Controversies of Faith and Cases of Conscience:”  
 As also to *Larger Catechism, Answers to Quest. 108.* “The  
 “ Duties required in the *second* Commandment are,—keeping  
 “ pure and entire all such religious Worship and Ordinances  
 “ as God hath instituted in his Word; particularly,—Church  
 “ Government and Discipline;—swearing by the Name of  
 “ God, and vowing unto him.” Q. 109. “The Sins for-  
 “ bidden in the *second* Commandment are,—hindering and  
 “ opposing

“ opposing the Worship and Ordinances which God hath appointed.” Q. 112. “ The *third* Commandment requires, that the Name of God, his—Ordinances,—Oaths, Vows, and whatsoever else there is whereby he makes himself known, be holily and reverently used,—by an holy Profession, and answerable Conversation, to the Glory of God, and the Good of ourselves and others.” Q. 113. “ The Sins forbidden in the *third* Commandment are, the not using of God’s Name as is required, and the Abuse of it,—by—Perjury; all sinful—Oaths,—and—violating of our Oaths,—if lawful.” Q. 144. “ The Duties required in the *ninth* Commandment are,—appearing and standing for the Truth.” Q. 145. “ The Sins forbidden in the *ninth* Commandment are, all prejudicing the Truth,—especially in publick Judicature;—hiding, excusing, or extenuating of Sins,—or not hindering what we can in others such Things as procure an ill Name.”

## ARTICLE V.

“ **A**ND SICKLIKE, all the Ministers above mentioned, together with Mess. *James Mair* Minister at *Linton*, and *James Johnston* Minister at *Dundee*, have constituted themselves, particularly at *Stirling*, upon one or other of the Days of *June 1747*, into a pretended Synod, in a Way of separating from the rightly constitute Associate Synod to which they belonged, through turning aside from the lawful Constitution thereof, and from the received Testimony still maintained by the said Synod;—thus engaging in a schismatical Constitution for Support of their foresaid backsliding Course.”

The Ministers here spoke of and mentioned, having constituted themselves, particularly at *Stirling*,—upon one or other of the Days of *June 1747*, into a pretended Synod; as is evident from what has been expressed, p. 38. & 39. : With respect to their constituting of themselves into the said pretended Synod, it is to be observed, that,

1<sup>st</sup>, This was a *schismatical Constitution*, in opposition to the true Unity and Constitution of the Associate Synod. For,  
2<sup>dly</sup>, It was in a Way of separating from the rightly constitute Associate Synod to which they belonged. Because,  
3<sup>dly</sup>, It was in a Way of turning aside from the lawful Constitution



*Constitution* of the Associate Synod, as hath been evidenced on the *third* Article; and in a Way of *turning aside* from the *received Testimony* still maintained by the said Synod, as hath been evidenced on the *fourth* Article: And it is obviously absurd to suppose, that the *Associate Synod*, in the true Nature and Form thereof, can be *adhered to* and *continued in*, where their lawful Constitution, and the received Testimony among their Hands,—are *turned aside* from. Wherefore, in their thus turning aside, they plainly *separated* from the rightly constitute Associate Synod to which they belonged,—leaving the *Constitution, Authority* and *Cause* of that Synod, among the Hands of that real *Majority* of acting Members in the Case—who were enabled to withstand their backsliding Course. But,

4<sup>thly</sup>, That their said *pretended Constitution* was but a *pretended* one,—as being a *schismatical Constitution*, quite opposite to,—and therefore in a Way of separating from the rightly constitute Associate Synod to which they belonged; so that any Constitution they could have, on the Back of their second Resolution, was a *new* and *till then unheard-of Constitution* of their own;—this will farther appear by considering, that,

1. Any *Constitution* they could have, on the Back of their second Resolution, was a Constitution *admitting* this sinful and dangerous Innovation,—That the *Decrees of Synods and Councils, in Controversies of Faith and Cases of Conscience, should be subjected to the Consultation of inferior Judicatures, particularly Kirk-sessions*; as they proceeded thus in that Resolution.

2. It was a Constitution *admitting*, that Seceders should be judicially *tolerated* to swear an Oath,—which is, at the same time, still judicially declared to be in general *Contradiction* to the present Testimony, and to the Oath of the Bond for renewing our Covenants: that is, a Constitution *admitting* Seceders to make a known *Renunciation by Oath*, of the whole Testimony for Religion and Reformation—as among their Hands; according to what has been evidenced to be imported in the second Resolution: And thus it was a Constitution *giving up* with the Foundation upon which the Associate Synod had been erected.

3. It was a Constitution *admitting*, that a *Decision* should be made in a Cause, of whatever Importance, *before* allowing any *fair and necessary Opening* thereof: As this was done by their

their second Resolution, — in its proceeding upon the first, whereby any fair and necessary Opening of that most important Cause decided about in the second Resolution, before proceeding to such a Decision, was directly excluded.

4. It was a Constitution *admitting*, that *Parties* should (even violently) sustain themselves *Judges* in *their own* personal Cause; as it was in this Way that their Resolutions were pushed and carried.

5. It was a Constitution *admitting*, that a *Minority* in a Court should carry a Decision, however important, over the Belly of the *Majority* of acting Members in the Court on that Case: As their second Resolution was pretended to be carried, by the Vote of *nine Ministers* and *eleven Elders*, (whereof *six Ministers* and *one Elder* were directly *Parties* in the Matter); though *thirteen Ministers* and *ten Elders* were justly standing under the Banner of a solemn *Protestation* against their whole Procedure herein, even as to the admitting of any Vote upon their Question: Whereby a *Minority*, and so many of them *Parties*, pretended to carry a Decision—over the Belly of the strongest Opposition by the *Majority* of acting Members; tho' it be most evident, that the Court ought to have been measured, in *that Action*, by the *Majority* of acting Members therein.

And their pretended Constitution, was a *new Constitution* which, in the obvious Nature of the Case, did *admit* of all these awful and absurd Things—as *Rules* and *Precedents*: Such Things, as that the *rightful Constitution* of the Associate Synod could *never* have *admitted* of *one* of them—for a Moment. Moreover,

5thly, This *schismatical Constitution*, was evidently for *Support* of their *backsliding Course*,---as in the former Articles: Because, as it did evidently *arise from*, so it evidently *acquiesceth* and *subsisteth in*, and standeth in open *Defence* of, the said *backsliding Course*,—as it is employed in the *promoting* thereof, according to what will appear on the Close of the last Article.

And thus appears the Charge of this *Article*; — as to their having *constituted* themselves into a *pretended Synod*, in a Way of *separating* from the *rightly constitute* Associate Synod to which they belonged,—through *turning aside* from the *lawful Constitution* thereof, and from the *received Testimony* still maintained by the said Synod,—thus engaging in a *schismatical Constitution* for *Support* of their foresaid *backsliding Course*: Which is a heinous *Sin* and *Scandal*, as contrary to the *Word*

of

of God, particularly Acts ii. 42. *And they continued stedfastly in the Apostles Doctrine and Fellowship.* Rom. xvi. 17. *Now I beseech you, Brethren, mark them which cause Divisions and Offences, contrary to the Doctrine which ye have learned; and avoid them.* i Cor. i. 10. *Now I beseech you, Brethren, by the Name of our Lord Jesus Christ, that ye all speak the same Thing, and that there be no Divisions among you; but that ye be perfectly joined together in the same Mind, and in the same Judgment.* Chap. xii. 25. *That there should be no Schism in the Body.* Eph. iv. 3. *Endeavouring to keep the Unity of the Spirit in the Bond of Peace.* Jude v 19. *These be they who separate themselves:* As also to *Confession*, Chap. 20. Art. 4.—“ They who, upon  
 “ Pretence of Christian Liberty, shall oppose any lawful  
 “ Power, or the lawful Exercise of it, whether it be civil or  
 “ ecclesiastical, resist the Ordinance of God: And for—such  
 “ —Practices as—are destructive to the external Peace and  
 “ Order which Christ hath established in the Church, they  
 “ may lawfully be called to Account:” And to *Larger Catechism*, *Answers to Quest.* 108. “ The Duties required in the  
 “ *second Commandment* are,—keeping pure and entire all such  
 “ —Ordinances as God hath instituted in his Word; parti-  
 “ cularly,—Church Government and Discipline.” 2. 109.  
 “ The Sins forbidden in the *second Commandment* are, all  
 “ —hindering and opposing the—Ordinances which God  
 “ hath appointed.”

## ARTICLE VI.

“ **M**OREOVER, the said Mess. *James Mair, William*  
 “ *Hutton, Andrew Black, James Johnston, John Smith,*  
 “ *and David Telfer*, beside the several Articles charged against  
 “ them as above, have made themselves, and ARE Art and  
 “ Part in the Guilt of the whole *other Articles* charged as a-  
 “ bove against their Brethren foresaid: Inasmuch as they *neg-*  
 “ *lected* a suitable and seasonable Testimony against the open  
 “ Offences of their Brethren contained in these *other Arti-*  
 “ *cles*: And, on the contrary, they have *schismatically em-*  
 “ *bodied* themselves with these their Brethren, in the Way of  
 “ their continuing in and carrying on these their Offences,  
 “ by their constituting with them into a pretended Synod as  
 “ above”

That the Ministers here mentioned, beside the several Ar-  
 ticles



ticles (whether general or particular) charged against them as above, did neglect any suitable and seasonable Testimony against the other open Offences of their Brethren—contained in the former Articles: This is evident; as it is a Matter of undeniable Notoriety, that they did not any way concur with the Testimony given and carried on against these other open Offences of their Brethren, at the Meeting of Synod in April 1747,—and that they have not since taken up any such Testimony. Yea,

That, on the contrary, they have constituted with them into a pretended Synod, so that they have schismatically embodied themselves with these their Brethren—in the Way of their continuing in and carrying on these their Offences: This hath been found proven and evidenced, on the fifth Article.

Wherefore these Ministers have made themselves and are —ART and PART, as charged by this Article, in the Guilt of the whole other Articles charged as above against their Brethren fore said: According to the Word of God, particularly Exod. xxxii. 35. *And the Lord plagued the People, because they made the Calf, which Aaron made.* Lev. xix. 17. *Thou shalt not hate thy Brother in thine Heart; thou shalt in any ways re-buke thy Neighbour, and not suffer Sin upon him.* Eph. v. 11. *And have no Fellowship with the unfruitful Works of Darkness, but rather reprove them.* 1 Tim. v. 22. — *Neither be Partaker of other Mens Sins; keep thyself pure.* 2 John 9. 11. *For he that biddeth him God speed, is Partaker of his evil Deeds:* As also to Confession, Chap. 26. Art. 1. “All Saints—are obliged to  
“ the Performance of such Duties, publick and private, as  
“ do conduce to their mutual Good.” Art. 2. “Saints, by  
“ Profession, are bound to maintain an holy Fellowship and  
“ Communion in the Worship of God; and in performing  
“ such other spiritual Services as tend to their mutual Edifi-  
“ cation:” And to Larger Catechism, Answer to Quest. 145.  
“ The Sins forbidden in the ninth Commandment are,—  
“ holding our Peace when Iniquity calleth for either a Re-  
“ proof from ourselves, or Complaint to others;—or not  
“ hindering what we can in others such Things as procure  
“ an ill Name.”

#### ARTICLE VII.

“ **A**ND, LASTLY, after giving in their fore said Pro-  
“ tests, with pretended Reasons thereof, and before  
N “ the

the foreſaid Meeting of Synod in April 1747, the ſaid Mr.  
 “ *Ralph Erſkine* hath framed and published a Pamphlet, inti-  
 “ tled, *The Lawfulneſs of the religious Clause of ſome Burgeſs-*  
 “ *oaths aſſerted, &c.* and the ſaid Mr. *James Fiſher* hath fra-  
 “ med and published a Pamphlet, intitled, *A Review of a*  
 “ *Pamphlet, intitled, A ſerious Inquiry into the Burgeſs-oaths*  
 “ *of Edinburgh, Perth, and Glaſgow, &c.* And the ſaid  
 “ Mr. *Ebenezer Erſkine* hath, ſince the ſaid Meeting of Sy-  
 “ nod, framed and published a Pamphlet, intitled, *The true*  
 “ *State of the Queſtion upon which a Breach followed in the*  
 “ *Aſſociate Synod, at Edinburgh, Thurſday April 9. 1747;*  
 “ and the ſaid Mr. *Ralph Erſkine* hath alſo, ſince that Time,  
 “ framed and published a Pamphlet, intitled, *Fancy no Faith;*  
 “ *or, A ſeaſonable Admonition and Information to Seceders, a-*  
 “ *gainſt the ſinful Conſtitution of ſome Brethren into a pretended*  
 “ *Judicatory, &c.* All which Pamphlets do evidently impugn  
 “ and ſubvert the neceſſary Teſtimony for Reformation which  
 “ *themſelves have ſolemnly eſpouſed,*—and are of an evident  
 “ Tendency to break and ſeduce the LORD’s People:—And  
 “ likewise, the Miniſters all above mentioned, at a Meeting  
 “ in *Stirling*, in *October 1747*, in the pretended ſynodical  
 “ Capacity into which they have ſeparated themſelves, have  
 “ framed and published a pretended *Act*, evidently of the ſame  
 “ Import and Tendency as above, and groſſly defaming the  
 “ *rightly conſtitute Synod* in their eſſaying to maintain the fore-  
 “ ſaid Teſtimony, — yea audaciouſly pretending to condemn  
 “ and annul their lawful Conſtitution and Proceedings: And  
 “ all of them are guilty in the Matter of the ſaid pretended  
 “ *Act*, notwithstanding that ſome of them may have been  
 “ abſent from the ſaid Meeting;—inasmuch as none of them  
 “ do appear in making any ſuitable *Confession* of their former  
 “ ſinful Conjunction with the ſaid pretended Synod, nor in  
 “ taking up any ſuitable *Teſtimony* againſt their ſinful Conſti-  
 “ tution and Proceedings in general, or the ſaid pretended  
 “ *Act* in particular.”

With reſpect to the two general Parts of this Article,

I. The Miniſters here particularly mentioned having, at  
 the Times reſpectively mentioned, framed and published the  
 foreſaid Pamphlets reſpectively; according as the Synod have  
 found proven, p. 43. & 44.: It is hereupon to be obſerved,  
 that,

1<sup>ſt</sup>, As to the Pamphlet, intitled, *The Lawfulneſs, &c.* it  
 doth

doth evidently *impugn and subvert the necessary Testimony for Reformation—which themselves have solemnly espoused,—and is of an evident Tendency to break and seduce the Lord's People.* For,

1. Whereas a present Swearing of the *religious Clause* in some Burgeſs-oaths, by thoſe of the Seceſſion, had been found to be, and is very obviously, (according to what has been obſerved on the firſt Article), a Swearing in *general Contradiſtion* to the *preſent Testimony*—and to the *Oath of the Bond* for renewing our Covenants; ſo as a *Defence* of that preſent Swearing behoved plainly to import an *Overthrowing* of the ſaid neceſſary Testimony for Reformation which themſelves have ſolemnly eſpouſed, yea a *perſuading* of People unto a material *Renunciation* thereof by Oath: Yet the foreſaid Pamphlet, according to the Title thereof, undertakes and eſſays the *Defence* of that Oath;—inasmuch as it contains theſe general Aſſertions concerning the ſame, *viz.* “The Takers of  
“ it—cannot juſtly be ſuppoſed by taking it, to give up with  
“ any Point of Reformation, or Truth that ever they profeſ-  
“ ſed,” p. 26.; as alſo, p. 80. “The taking the religious  
“ Clause of the Burgeſs-oath, in our preſent Circumſtances,  
“ can be none of the Evils of the Day that God is bringing  
“ to Light:” And the vain Attempt of ſupporting ſuch Aſſertions is evidently puſhed through that Pamphlet, particularly in p. 9. 10. 22. 70. 82. 85.

2. This impugning and ſubverting of that Testimony, in defending the ſaid Oath,—is carried on under an Attempt of *blackening the Synod* with the moſt odious and injurious *Reproaches*, becauſe of their plain and neceſſary Maintenance of that Testimony—by their Oppoſition to the ſaid Oath: For, though the preſent Oppoſition thereto doth obviously contain nothing worſe, than a guarding of People againſt ſwearing *Satisfaction* with a *defective and corrupt Profeſſion* of the true Religion, while they are neceſſarily engaged in a ſolemn Testimony againſt the Deſections and Corruptions of that Profeſſion;—yet, with reſpect to the Oppoſers of the ſaid Oath—and to their being ſo, the Author runs into the ſtrange Extravagance of proceeding thus, *viz.* “Theſe—, inſtead of  
“ taking proper Means for the Conviction of Apoſtates, are  
“ uſing Means that tend natively to harden them in their  
“ Apoſtaſy and Atheiſm, and to hinder the whole Gene-  
“ ration from taking with any Charge at all,” p. 82.  
“ And thus the new Light that ſome are led by,—natively  
“ tends



tends—to harden not only Prelatists and Jacobites, but also Deists, Arians, Arminians, and Atheists too; and to foster in the Minds of an Atheistical Age, that there is neither any true God, nor true Religion that ought to be professed,” p. 85.

3. Whereas the *Judicial Testimony*, in enumerating the Declinings of this Land from Reformation-purity—at the *Revolution*, doth expressly affirm as follows, viz. “In the second Session of the same Parliament, anno 1690, Presbyterian Church Government and Discipline is established and ratified, according to the civil Ratification and Establishment given unto the Government of this Church anno 1592: Thus a *retrograde Motion* is made, near an hundred Years backward; and all the legal Securities given to this Church, in that covenanting Period from 1638 to 1650, are *overlooked and passed by*;”—which Point of Testimony is again solemnly espoused in the solemn *Acknowledgment of Sins*, and *Band* thereto subjoined:—Yet a Piece of Sophistry is used, in p. 50. & 51. for *obscuring* and *explaining away* this Point of Testimony; particularly, as in p. 51. the Author proceeds thus, viz. “Though, in the covenanting Period intervening, it is noticed in the Testimony there were *several legal Securities* given to the Church, which the Revolution-settlement sinfully neglected and passed over; yet the Settlement of Church-government particularly, had *never any other legal Security* during that Interval; and therefore as to that Particular, the Revolution-parliament *behoved* to look back to the first Securities it had, which were all ratified in 1592, and ratify it, for the more Security in establishing the Presbyterian Government.”

2dly, As to the Pamphlet, intitled, *A Review*, &c. it is evidently of the *same Import and Tendency* as above. For,

1. The foresaid *Testimony* is thereby evidently *impugned* and *subverted*: Seeing, as the former Pamphlet, it is manifestly laid for *Defence* of the *Burges-oath*, in opposition to the Decision of Synod concerning the same: As the Author gives this general Reason for his *Review*, in answer to the *Inquiry*, &c. “That the same Arguments” (viz. as in the *Inquiry*, against a present Swearing of that Oath) “are used by others, whose Praise is, otherwise, in the Gospel, throughout the Churches,” p. 6.;—and accordingly the Attempt of thus defending that Oath is evidently pushed afterwards, particularly in p. 17.

2. Whereas

2. Whereas the judicial *Testimony*, in enumerating the Declinings of this Land from Reformation-purity, doth expressly affirm as follows, *viz.* "By the Treaty of Union,—the Maintenance and Preservation of the Doctrine, Worship, Government and Discipline of the Church of *England*, is made a fundamental and essential Part of the Union of the two Kingdoms;—the *Parliament of Scotland*—having, in their *Act of Ratification*, given *their Consent*, that the *Maintenance of the Hierarchy and Ceremonies in England*, should be a *fundamental and essential Article of the Union*;"—which Point of Testimony is again solemnly espoused in the solemn *Acknowledgment of Sins*, and *Band* thereto subjoined: Yet a very gross Attempt is made for overthrowing this Point of Testimony, in p. 76. as follows, *viz.* "The *Parliament of Scotland* do not determine, whether the Church of *England* was *Episcopal or Presbyterian*; they leave it to the *Parliament of England*, to abolish *Episcopacy* and settle *Presbytery*, if they had a mind."

3dly, As to the Pamphlet, intituled, *The true State*, &c. it is evidently of the *same Import and Tendency* as above. For,

1. It manifestly symbolizes with the two former Pamphlets, in *impugning and subverting* the foresaid *Testimony*, by *justifying the religious Clause* of some Burgeses-oaths,—in opposition to the Decision of Synod concerning the same: As the Author, in p. 7. expressly pretends to argue against "that Decision, *April 1746*, declaring the first Clause of some Burgeses-oaths sinful,"—that the said Clause "*ought not to have been condemned.*"

2. Whereas, according to what has been observed on the fourth Article, to defend the *second Resolution*—is manifestly to defend a *dropping the whole Testimony* for Reformation as it was among the Hands of the Synod, in giving *Allowance*—at least for a Time—for a material *Renunciation* thereof by Oath: Yet the said Pamphlet is formally laid in *Defence* of that Resolution; as the Author undertakes, in p. 6. to give "the *Reasons* of" (what he calls) "the Synod's Sentence, that the Decision in *April 1746* should not be a Term of Ministerial and Christian Communion," &c.

3. The judicial *Testimony*, in the assertory Clause about the *Keys of the Kingdom of Heaven*, doth expressly affirm as follows, *viz.* "And they hereby reject and condemn the following *Sectarian Principles*, That the *Keys of Government and Discipline* are given by the Head of the Church  
" to

“ to the whole *Community* of the Faithful ; and that Ecclesi-  
 “ astical Synods and Councils have only a mere *consultative*  
 “ Power and Authority : Which Principles they condemn,  
 “ as contrary to the Word of God, the laudable Acts and  
 “ Constitutions of this Church founded thereupon, and as  
 “ having a native Tendency to introduce *Anarchy* and *Con-*  
 “ *fusion* into the House of God :”—And accordingly, in the  
*Bond* for renewing our solemn Covenants, there is an express  
*Swearing* against *Independency*, and *Latitudinarian Tenets*. But  
 this Point of Testimony, against *Sectarian Principles*, *Inde-*  
*pendency*, and *Latitudinarian Tenets*,—is evidently *impugned*  
 and *subverted* by the said Pamphlet, in p. 10.; where the Au-  
 thor, for Defence of the Reference made in the second Reso-  
 lution, proceeds thus, *viz.* “ If the infallible Apostles sub-  
 “ mitted their Doctrines to the Examination of the *Bereans*,  
 “ by the Touchstone of the Word ; much more should we,  
 “ a Company of fallible Men, *submit* our *Decisions* to the  
 “ Trial of Presbyteries and Kirk-sessions, which generally  
 “ consist of the most godly and judicious Men in the several  
 “ Congregations, and are by them communicate unto *pray-*  
 “ *ing Societies* also, for their Opinion : And this Judgment  
 “ of the *diffused Church* being returned from Kirk-sessions  
 “ unto Presbyteries, and from Presbyteries unto the Synod,  
 “ a Law or Decision might have been made with relation to  
 “ the Burgeſs-oath, with the *harmonious Consent* of the *whole*  
 “ *Church*.” For, as there is here a gross *Confounding* of  
 the *publick* and *private Judgment*,—which is the *very Life* of  
*Independency*, *Sectarian Principles*, and *Latitudinarian Te-*  
*nets* ;—and as there is here a gross *Perversion* of *Scripture*,  
 as if the *Apostles* their Submission of their Doctrines to the  
 Examination of the *Bereans*, had been *parallel* to the Sub-  
 mission which was made of the Decision 1746—by the second  
 Resolution ; that is, as if the *Apostles* had *submitted* their *Do-*  
*ctrines* to the Examination of the *Bereans*, so as to give Peo-  
 ple a *Toleration* for *receiving* or *rejecting* these Doctrines at  
 Pleasure, at least till once the *Bereans* should please to *return*  
*their Judgment* upon the Subject : Accordingly it is here taught,  
 that the Synod’s *passing*, or their *requiring Obedience* unto, a  
*Decision* in a Controversy of *Faith* and *Case of Conscience*,  
 should be made to *depend*, not only upon Presbyteries and  
 Kirk-sessions,—but even upon their having the Opinion of  
*praying Societies*, the Judgment of the *diffused Church*, the *har-*  
*monious Consent* of the *whole Church*, to do so ; and thus a  
 Door



Door is evidently opened unto the foresaid *Latitudinarian, Independent, and Sectarian Extremes*, which the Associate Synod had solemnly testified against and *abjured*.

4thly, As to the Pamphlet, intituled, *Fancy no Faith, &c.* it is evidently of the *same Import and Tendency* as above. For,

1. It openly *promotes* the Design of the three former Pamphlets, in *impugning* and *subverting* the foresaid Testimony, by *justifying* the *religious Clause* of some Burgeſs-oaths,—with groſs inveighing againſt the Deciſion of Synod concerning the ſame: As, in p. 6. & 7. the Author proceeds thus, *viz.* “ The *Bond* for renewing our Covenants, and the *religious Clause* of ſome *Burgeſs-oaths*, are ſo far from being *contradictory Oaths*, that to make them ſo, is to contradict the whole Scope and Design of the Testimony, and to impoſe upon human Underſtanding; alſo—the *Deciſion* which declared the *religious Clause* of ſome Burgeſs-oaths to be ſinful, was a *raſh, unreaſonable, and ſinful Deciſion*, in *flat Contradiction* to, and *Violation* of our own and our *Forefathers Covenants*;”—and this Matter is further urged with foul Railings and Reproaches againſt the Synod, particularly in p. 5. 6. 7. 15. 22. 26. & 27.

2. The judicial *Testimony*, upon the Head of the *Revolution*, doth expreſſly affirm as follows, *viz.* “ When the Parliament of *Scotland* met immediately after the Revolution, in the firſt Seſſion they aboliſhed *Prelacy*, as a *great and inſupportable Grievance* to this Nation, and *contrary to the Inclination of the Generality of the People* ever ſince the Reformation, they having reformed from *Popery* by *Preſbyters*; and in the ſecond Seſſion of the ſame Parliament, anno 1690, *Preſbyterian Church Government* and *Discipline* is eſtabliſhed and ratified, according to the *Civil Ratification* and *Eſtabliſhment* given unto the Government of this Church, anno 1592: thus a *retrograde Motion* is made near an hundred Years backward, and all the legal Securities given to this Church, in that *covenanting Period* from 1638 to 1650, are *overlooked* and *paſſed by*: Likewise all the Acts of the firſt Seſſion of the firſt Parliament of King *Charles II.* together with the *infamous Act Reſciſſory*, (anno 1661), whereby a covenanted Reformation was razed, and the Acts and Deeds of that *covenanting Period* were declared ſeditious and treaſonable, are *left untouched* in this above mentioned *Settlement*: *Prelacy* is never con-  
sidered

"sidered as *contrary to the Word of God, and abjured by our*  
 "Covenants; nor our Presbyterian Church Government and  
 "Discipline, as what the Land is bound and obliged to  
 "maintain, by the most solemn Oaths and Covenants: The  
 "Indignities done to the *National and Solemn League and Co-*  
 "venant, and consequently to the most high God, the  
 "great Party in them, are never regarded; but these *solemn*  
 "Oaths and Covenants are *left buried under an Act Rescissory,*  
 "and other Acts and Deeds subversive of them:—The first  
 "General Assembly of this Church after the *Revolution*, did  
 "sit down, *anno 1690*, under the Shadow of the above *Civil*  
 "Establishment, and never reclaimed against what was de-  
 "fective in the same, but kept Measures with the *State* in  
 "their several Acts and Deeds at that Juncture;—the As-  
 "sembly 1690 did not assert the divine Right of Presbytery,  
 "and the intrinsic Power of the Church, which are two  
 "special Branches of his (the Redeemer's) glorious Headship  
 "in and over the same,—neither—by any one *formal Act*  
 "or Statute—asserted him to be what he really is, *the a-*  
 "lone *supreme Head and King over his Church, as his free*  
 "and *independent Kingdom*:—When these Things are duly  
 "considered, and *former* reforming Periods and *this* com-  
 "pared; what a vast *Difference* is there, between the House  
 "of God in *Scotland* in its *former* Lustre and Glory, and  
 "the Fabrick and Building as it was now reared up by  
 "Church and State at the *Revolution*!" Which Points of  
 Testimony are again solemnly espoused in the solemn *Ac-*  
*knowledgment of Sins*, and *Bond* thereto subjoined.

But these Points of Testimony are expressly, though most  
 unaccountably, *discarded* in the fore said Pamphlet; as therein  
 the Author proceeds thus, *viz.* "The *Revolution-parlia-*  
 "ment cannot justly be charged with *Omissions* as to the  
 "Settlement of the true Religion," p. 19. "The true Re-  
 "ligion, as it was professed and sworn to in that second Pe-  
 "riod, was espoused and professed by the *Revolution-par-*  
 "liament," p. 20. "The true Religion, as professed in the  
 "second Reformation-period, from 1638 to 1649, in oppo-  
 "sition to the *Indignities* done to it in the *preceeding Reigns*,  
 "was professed by the *Revolution-parliament*; which does  
 "either more generally, or more formally and expressly,  
 "rescind all the wicked Laws that were made against any  
 "Part of the true Religion that was professed in that *Period*,  
 "as well as the *former*," p. 21. "Either in a general or  
 "more

“ more particular Way, the Civil Settlement of Religion, or  
 “ Establishment thereof at the Revolution, *rescinds all the*  
 “ *bad Laws* that were made against the true Religion, and  
 “ *ratifies all the good Laws* that ever were made in favours of  
 “ it since the Reformation,” p. 23. “ The National Cove-  
 “ nant, as it was sworn to and explained in 1638, and also  
 “ the Solemn League and Covenant, are, by exprels Acts of the  
 “ Revolution-parliament, *vindicated* from the *Indignities* done  
 “ to them in the preceeding Reigns,” p. 20. “ The Revolution-  
 “ parliament—do *assert* and *avouch* the *alone Headship* of our  
 “ Lord Christ over his Church, the *intrinsic Power* of the  
 “ Church, and the *divine Right* of Presbytery,” p. 27. As to  
 which *last* Passage it must be observed, that the same, as well as  
 these others, is in *direct Opposition* to the fore said *Testimony*; see-  
 ing the said *Testimony* affirms, that the *General Assembly* of this  
 Church (though *they* did not assert the alone Headship of  
 Christ, the intrinsic Power of the Church, nor the divine  
 Right of Presbytery, yet) *kept Measures* with the *State* in their  
 several Acts and Deeds at that Juncture.—And the above  
 Fancies are farther urged, in p. 15. 19. 20. 21. 22. 23. 24.  
 25. 26. & 27. Moreover,

3. In the above Instances there is evidently a very awful  
 Work of *destroying* (upon most fanciful Pretences) what  
*themselves* had built in a Way of solemn *Witnessing* and *Cove-*  
*nanting*. But the Matter doth not rest here. For the Author  
 proceeds with a gross Imposition, p. 26. “ That the *histori-*  
 “ *cal Facts* in the *Testimony*, such as these relating to the  
 “ Revolution, were always excepted, by the Associate Judi-  
 “ catures, from being *any proper Part* of it, as a *Testimony*  
 “ *binding the Conscience* before God;” of which historical  
 Facts, in the *Testimony*, he says, p. 27. “ Which formerly  
 “ were judged *no binding Part* of it at all.” And by what  
 new Judgment the Author here delivers and teaches, (with  
 an astonishing Imputation thereof to the Associate Judicatures  
 formerly), there is an evident *breaking down* and treading  
 under Foot, *all and every Branch* of the present *Testimony*,  
 as to historical Facts, concerning *all the publick Evils* of the  
 Day—and standing *Grounds* of the *Lord's Controversy* with this  
 Generation, which are therein witnessed against, and a *con-*  
*tinuing to contend* and *testify against* which—hath been solemn-  
 ly *engaged unto* with uplifted Hands to the MOST HIGH GOD  
 —in the *Oath* of the *Bond* for renewing our Covenants; as  
 if, after all, the Confession of and *Testimony* against these  
 O Things,



Things, were *no proper Part* of Testimony binding the Conscience before God ! *no binding Part* of it at all !

II. The Ministers libelled having, at the Meeting mentioned in this Article, *famed* and *published* the *pretended Act* therein mentioned ; so that *all* the Ministers libelled are guilty in the Matter of the said pretended Act ;—as the Synod have found proven, p. 45. & 46. : It is hereupon to be observed, that,

1<sup>st</sup>, This *pretended Act* is evidently of the *same Import and Tendency* as *above*, viz. *evidently impugning and subverting the necessary Testimony for Reformation which themselves have solemnly espoused, and of an evident Tendency to break and seduce the Lord's People.* For,

1. It manifestly concurs with the forementioned Pamphlets, in *impugning and subverting* that Testimony, as it slips in under and displays the new Banner of the *religious Clause* of some Burgeſs-oaths, in a violent Opposition to the Decision of Synod concerning the same : While what is justly found in the said *Decision*, concerning a *present Swearing* of that Clause among Seceders, (*viz.* that it is a *Contradicting* of the *Bond*, and a material *Abjuring* of the *Testimony*), is, by a Piece of Sophistry, made to infer “ such a *monſtrous Reproach* cast upon “ *our Bond and Testimony*, as may fill People's Minds with “ *Horror and Amazement*,” p. 22.

2. Though their *second Resolution* stands in such awful Opposition to the necessary Testimony for Reformation which themselves have solemnly espoused, that (according to what has been observed on the *fourth Article*), it plainly imports a material *Dropping* of the said whole Testimony as the same was and is among the Hands of the Synod, — in giving *Allowance*, at least for a Time, for a material *Renunciation* thereof by Oath ; yet they continue to *maintain* and *vindicate* that Resolution : While they teach, concerning the foreſaid Decision, that “ it was — necessary — to transmit the Question about “ its being a *Term of Communion*, or not, to the Consideration “ of inferior Judicatures,” p. 22. as they inveigh against other Brethren for *opposing* that Step, p. 33. And thus, in manifest Contradiction to the foreſaid Testimony, they here display a Banner for the *Toleration* or *Latitudinarian Scheme* introduced by their second Resolution.

2<sup>dly</sup>, This pretended *Act* doth grossly defame the rightly constitute Synod, in their essaying to maintain the foreſaid Testimony. For though it be very evident, (according to what has

has been observed on the *fourth* and *fifth* Articles, as also in the published *Acts* of Synod in *April* last Year), that the whole received *Testimony* and *lawful Constitution* of the *Associate Synod*, on the Back of the second Resolution, was *duly* and *only* among the Hands of *those* Members who were enabled to *contend against* the said Resolution, with the Method of carrying the same; and that the Synod's Conduct thereupon, did but amount unto a *necessary Maintenance* of that *Testimony* and *Constitution*, with a requiring People to *hold fast that which they had*: Yet they are charged with taking upon them to act "in a lordly and magisterial Way,—to usurp a legislative Authority,—making Laws, and instituting new Terms of Communion, for which they can produce no Warrant or Foundation in the Word of God," p. 6. And they are farther laid under the most unaccountable Charges, *viz.* That "it is plain the Language of these Brethren's Conduct is, that they would have others act merely on their Authority or Pleasure, and blindly to follow them," p. 10.; and that their Constitution is "founded upon many grievous Calumnies and heavey Charges laid against" (what is called) "the Synod, without the least Shadow of Proof," p. 12.: Which *defaming* Work is carried on elsewhere, particularly in p. 8. 15. & 33.

3dly, This pretended *Act*, thus defaming the Synod, doth *audaciously pretend to condemn and annul their lawful Constitution and Proceedings*, as in p. 33. & 34.: Where, particularly, they pretend to "*condemn and annul*" (what they presume to call) "the fore-said pretended Synod that first met in Mr. Gib's House at Bristol, near Edinburgh, April 10. 1747.;" and to "*declare each Meeting* (thereof) — never to have had, nor hereafter to have, any *ecclesiastical Authority*; and their *Conclusions* to have been, and to be of no *Force, Vigour, or Efficacy*; prohibiting all *Defence* and *Obedience* of them, by any under the Inspection of (what they assume to call) "this Synod:" By which *audacious Procedure* (even of the *Minority* against a *great Majority* of their Brethren, they being only *twelve* of *thirty two Ministers* who belonged to the *Associate Synod*) they have put an awful *Copestone* upon their *backsliding Course*, in opposition to the necessary *Testimony* for Reformation which themselves had solemnly espoused.

Moreover, as the above mentioned Pamphlets and pre-  
tended

*tended Act*, by their impugning and subverting the foresaid Testimony, are, in the Nature of the Thing, of an *evident Tendency to break and seduce the Lord's People*; they are more especially so, considering their being framed and published by *such as have solemnly espoused* and been honoured to *promote* that Testimony, while they still (however absurdly) pretend to be continuing it.

And thus appears the *Charge* of the *last Article*; as to the *Pamphlets* therein mentioned, their *evidently impugning and subverting the necessary Testimony for Reformation*—which these Brethren themselves have solemnly espoused, and their being of an *evident Tendency to break and seduce the Lord's People*;—and as to the *pretended Act* therein mentioned, its being of the *same Import and Tendency as above*, and grossly defaming the rightly constitute Synod in their *essaying to maintain the foresaid Testimony*, yea audaciously pretending to condemn and annul their lawful Constitution and Proceedings: Which are Cases of heinous Sin and Scandal, as contrary to the *Word of God*, particularly Prov. xxiii. 23. *Buy the Truth, and sell it not.* Rom. xvi. 17. *Now I beseech you, Brethren, mark them which cause Divisions and Offences, contrary to the Doctrine which ye have learned; and avoid them.* Gal. iii. 1. 3. 4. *O foolish Galatians, who hath bewitched you, that ye should not obey the Truth?—Are ye so foolish? having begun in the Spirit, are ye now made perfect by the Flesh? Have ye suffered so many Things in vain? if it be yet in vain.*——Jer. xxiii. 1. 22. *Wo be unto the Pastors that destroy and scatter the Sheep of my Pasture, saith the Lord.—But if they had stood in my Counsel, and had caused my People to hear my Words, then they should have turned them from their evil Way, and from the Evil of their Doings.* Ezek. xiii. 10.—*They have seduced my People, saying, Peace, and there was no Peace; and one built up a Wall; and lo, others daubed it with untempered Mortar.* Chap. xxxiv. 19. *And as for my Flock, they eat that which ye have trodden with your Feet, and they drink that which ye have fouled with your Feet.* 2 Cor. x. 8.—*Our Authority which the Lord hath given us for Edification, and not for your Destruction.* Chap. xiii. 10.—*The Power which the Lord hath given me to Edification, and not to Destruction.* Ezek. xlv. 23. 24. *And they shall teach my People the Difference between the Holy and Profane, and cause them to discern between the Unclean and the Clean: And in Controversy they shall stand in Judgment, and they shall judge it according to my Judgments; and they shall keep my*



*my Laws and my Statutes in mine Assemblies : — As also to Confession, Chap. 20. Art. 4.* “ They who, upon Pretence  
 “ of Christian Liberty, shall oppose any lawful Power, or  
 “ the lawful Exercise of it, whether it be civil or ecclesiasti-  
 “ cal, resist the Ordinance of God : And for their publish-  
 “ ing of such Opinions, or maintaining of such Practices,  
 “ —as, either in their own Nature, or in the Manner of  
 “ publishing or maintaining them, are destructive to the ex-  
 “ ternal Peace and Order which Christ hath established in the  
 “ Church, they may lawfully be called to Account, and pro-  
 “ ceeded against by the Censures of the Church :” And to  
*Larger Catechism, Answers to Quest. 109.* “ The Sins forbid-  
 “ den in the *second* Commandment are, —hindering and op-  
 “ posing the—Ordinances which God hath appointed.”  
 Q. 112. “ The *third* Commandment requires, that the Name  
 “ of God, his—Ordinances, the Word,—and whatsoever  
 “ else there is whereby he makes himself known, be holily  
 “ and reverently used in—Writing.” Q. 113. “ The Sins  
 “ forbidden in the *third* Commandment are,—any ways op-  
 “ posing of God’s Truth—and Ways.” Q. 144. “ The  
 “ Duties required in the *ninth* Commandment are,—appear-  
 “ ing and standing for the Truth.” Q. 145. “ The Sins  
 “ forbidden in the *ninth* Commandment are, all prejudicing  
 “ the Truth,—outfacing and overbearing the Truth, pas-  
 “ sing unjust Sentence, calling Evil Good, and Good Evil.”

PROCEEDINGS

# PROCEEDINGS

OF THE

## ASSOCIATE SYNOD,

At *Edinburgh*, in *August* 1748;

Concerning the SUSPENDED Ministers.

*In the New Church of Bristo, at Edinburgh, the second Day of August, One thousand seven hundred and forty eight Years; ante meridiem.*

THE SYNOD appointed, that a considerable Part of the *Sederunt* To-morrow before Noon, be publickly observed in Prayer, with Praise, for supplicating a Throne of Grace, that the Lord may be graciously pleased to lead and direct this Synod, with respect to the weighty and important Work among their Hands. —

*Eodem loco, August 3. 1748, ante meridiem.*

A considerable Part of this *Sederunt* was spent in Prayer, with Praise, according to the Appointment Yesterday for that Purpose.

The Synod taking under Consideration, the CERTIFICATION in the Sentence of SUSPENSION passed, at last Meeting, against Mess. *Ebenezer Erskine*, &c. which bears, “ That if they shall not return unto their Duty, acknowledging the Matters of heinous Sin and Scandal found proven against them, with their contumacious Behaviour, unto the Glory of God,—and apply unto the Synod, against their next ordinary Meeting, for giving Satisfac-  
“ on

“ on with respect to the whole of this their sinful  
 “ Course and Conduct, — that the Synod will then  
 “ consider upon *proceeding against them by some higher Censure, as they shall see Cause:*” And finding, that the said Ministers had not returned unto their Duty in the Manner there expressed, and that they are not now applying unto the Synod for giving Satisfaction with respect to their sinful Course and Conduct, but to the Evils formerly charged and found against them — are now superadding farther *Contumacy*; hereupon a Motion was made, that the Synod should consider upon proceeding unto *higher Censure* against the suspended Ministers, at this Meeting: Which Motion having been agreed unto, there ensued long Reasoning upon the Subject; and the Synod deferred farther Consideration thereof till next *Sederunt*.

*Eodem loco & die, post meridiem.*

The Synod resumed the Affair about proceeding to *higher Censure* against the suspended Ministers at this Meeting. After long Conference upon this Subject, and Prayer by a Brother for Light and Direction therein, and some farther Reasoning upon it; the Synod deferred farther Consideration thereof till next *Sederunt*.

*Eodem loco, August 4. 1748, ante meridiem.*

The Synod resumed Consideration of the Case of the suspended Ministers, as in the Minutes of the *Sederunts* Yesterday. After considerable Time spent in reasoning upon this Subject, and Prayer by a Brother for the Lord's Countenance and Conduct in this important Affair, the Question was moved to be put, *Proceed just now to inflict higher Censure upon the suspended Ministers, or, Not?* Which Motion having been agreed to, the Question was put accordingly,  
*Proceed*



*Proceed or Not?* And it carried by a great Majority, *Proceed*: Wherefore the Synod *did* and *hereby do agree and resolve to proceed just now to inflict higher Censure upon the suspended Ministers.*

After some Reasoning about what *higher Censure* should be inflicted upon the said Ministers, a Motion was made, That, in respect of what has been found and considered upon their Case, as in the Minutes of the Afternoon's *Sederunt* on the 13th of *April* last, and of the Forenoon's *Sederunt* Yesterday, the Question be now put,—*Depose* all the suspended Ministers from the *Office* of the holy Ministry, *prohibiting* them severally and conjunctly from all and any Exercise, henceforth, of the said Office of the holy Ministry in the Church of Christ; as also, *Excommunicate* them from all Communion with the Church of Christ in her sealing Ordinances;—with *Certification*, That if they shall not return unto their Duty,—acknowledging, unto the Glory of God, the several Matters of heinous *Sin* and *Scandal* found proven against them, with their Contumacy at *last* Meeting, and their farther Contumacy in not compearing at *this* Meeting for the Purpose expressed in the Certification subjoined to the Sentence of *Suspension* in *April* last,—and apply unto the Synod, at their ordinary Meeting in *April* next Year, for giving Satisfaction with respect to the whole of this their sinful Course and Conduct,—that the Synod will then consider upon proceeding against them with the *highest Censure* of the Church, as they shall see Cause; or, Not? Which Motion having been deliberately considered in Reasoning, was *agreed to*: And after Prayer by a Brother for the Lord's Direction, and countenancing his own Institution in this Matter,—the Question was put, agreeably to the above Motion, *Depose, and Excommunicate, with Certification, or, Not?* And it carried, *nemine contradicente* except one of the Elders, *Depose and Excommunicate, with Certification.* WHEREFORE the  
Synod

Synod considering the several Matters of heinous Sin and Scandal found proven against Mess. EBENEZER ERSKINE at *Stirling*, RALPH ERSKINE at *Dunfermline*, JAMES FISHER at *Glasgow*, JAMES MAIR at *Linton*, DAVID HORN at *Cambusnethen*, HENRY ERSKINE at *Falkirk*, JOHN M'CARA at *Burntshields*, ANDREW BLACK at *Cumbernauld*, JAMES JOHNSTON at *Dundee*, JOHN SMITH at *Jedburgh*, and DAVID TELFER at *Monteith*, Ministers, —with their contumacious Behaviour at last Meeting, and their farther Contumacy in not compearing at this Meeting to give Satisfaction with respect to their fore-said sinful Course and Conduct; —and considering sundry Passages of the *holy Scripture* and our *Confession of Faith*; as all particularly condescended upon in the fore-said Minutes of the Afternoon's Sederunt on the 13th of *April* last, and the Forenoon's Sederunt Yesterday: *They therefore* DID and hereby DO, in the Name and by the Authority of the LORD JESUS CHRIST, the only King and Head of his Church, and according to the Powers committed by HIM to them as a Court constitute in his Name, actually DEPOSE all the said Ministers from the Office of the holy Ministry, prohibiting them, severally and conjunctly, from all and any Exercise, henceforth, of the said Office of the holy Ministry in the Church of CHRIST; AS ALSO, they DID and hereby DO, in the same great Name and by the same Authority, EXCOMMUNICATE and debar them from all Communion with the Church of CHRIST in her sealing Ordinances: With CERTIFICATION, That if they shall not return unto their Duty, —acknowledging, unto the Glory of God, the several Matters of heinous Sin and Scandal found proven against them, with their Contumacy at last Meeting, and their farther Contumacy in not compearing at this Meeting for the Purpose expressed in the Certification subjoined to the Sentence of Suspension passed against them in

April last,—and apply unto the Synod, at their ordinary Meeting in April next Year, for giving Satisfaction with respect to the whole of this their sinful Course and Conduct,—that the Synod will then consider upon proceeding against them with the highest Censure of the Church, as they shall see Cause.

The Synod considering, that they cannot presently overtake the Consideration of the *Certification* subjoined to the Sentence of *Deposition* and *Lesser Excommunication* passed, in April last, against Mr. William Hutton at Stow, as to proceeding against him with the highest Censure of the Church; but considering, that the said Mr. Hutton, to the Evils formerly charged and found against him, has now added farther *Contumacy*, in not compearing at this Meeting, for giving Satisfaction with respect to the whole of his said sinful Course and Conduct: They therefore *did* and hereby *do resolve*, that if the said Mr. Hutton shall not return unto his Duty,—acknowledging, unto the Glory of God, the Matters of heinous *Sin* and *Scandal* found proven against him, as also his Contumacy, with his sinful and scandalous Behaviour when he appeared before the Synod on the 7th Day of April last, and his farther Contumacy as above,—and apply unto this Synod, at their ordinary Meeting in April next, for giving Satisfaction with respect to the whole of his said sinful Course and Conduct,—that the Synod will then consider upon proceeding against him with the highest Censure of the Church, as they shall see Cause.

The Synod considering that, beside what *Intimations* have been made—by particular Appointments of last Meeting, or were competent to be made, of the Sentence of *Suspension* then passed against the Ministers therein mentioned, within their respective Congregations; that it is proper there be *Intimation* made concerning the further Sentence now passed against them:



them: They therefore appoint, that ———, meet as a Committee, for bringing in a Draught of such an *Intimation*, at next *Sederunt*.

*Eodem loco*, August 5. 1748.

THE Members of the *Committee* appointed at last Meeting, to extend and illustrate the *Evidences* in respect of which the Synod found the several *Articles* of Libel *proven*, reported, That, through several interveening Hinderances, they had not yet got met for that Purpose; so that the *Publication* of the Synod's former Proceedings upon the said Libel has not yet been effectuate, though they be mostly printed: The Synod do therefore appoint, that the said Committee meet at *Burntisland*, on *Tuesday* the 16th Day of this Month, for expediting the said *Draught*, adjourning themselves as they shall find necessary. And the Synod further appoint, that their *Proceedings* at *this* Meeting in that Affair be also published along with those in *April* last; and that the whole be executed with all convenient Dispatch.

The *Committee* appointed Yesternight, for bringing in a Draught of an *Intimation* to be made concerning the Sentence of *Deposition* and *Lesser Excommunication* passed Yesterday, brought in the same accordingly; which being twice read, with Amendments, was unanimously *approven of*; the Tenor whereof follows, *viz.*

*An Intimation concerning those Brethren, who having been suspended by the Synod at their last Meeting, have been also laid under the Sentence of Deposition, with the Lesser Excommunication, at this Meeting; to be made in consequence of that Sentence, within the Congregations to which they have belonged,*

WHEREAS the Associate Synod have found several Articles of heinous Sin and Scandal—  
with

with *Contumacy*, against Mess. *Ebenezer Erskine* at *Stirling*, *Ralph Erskine* at *Dunfermline*, *James Fisher* at *Glasgow*, *James Mair* at *Linton*, *David Horn* at *Cambusnethen*, *Henry Erskine* at *Falkirk*, *John M'Carra* at *Burntsfields*, *Andrew Black* at *Cumbernauld*, *James Johnston* at *Dundee*, *John Smith* at *Fedburgh*, and *David Telfer* at *Manteith*, Ministers; upon which Account the Synod did, at their Meeting in *April* last, suspend all these Brethren from the *Exercise* of the Office of the *holy Ministry*; — And whereas, upon the same Articles of *heinous Sin and Scandal*, with *continued Contumacy*, the Synod did, at their Meeting in *August* last, lay all these Brethren under the Sentence of *Deposition* from the Office of the *holy Ministry*, with the *Lesser Excommunication*, debarring them from Communion with the Church of Christ in sealing Ordinances: Which Procedure of Synod, with the *Grounds* thereof, has been appointed to be laid fully before the People in Print, for their more particular *Information*. — This is therefore to declare, in virtue of the said Sentence of *Deposition*, justly passed against the said Brethren, that as all the Congregations to which they have belonged, so particularly this — is now become *vacant*, and remains to be again settled with a Gospel Minister in a *witnessing Capacity*, — as the Lord shall be graciously pleased to direct, provide, and countenance.

And the Synod appoint, that the above *Intimation* be made in the respective Congregations, upon the first Occasions of Supply therein by any Ministers of this Synod.

Extracted by

J. O. REID, Syn. Clk.

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